

# SIX P A P E R S

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By *Gilbert Burnet*, D. D.

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Printed in the Year, 1687.

P A P E R S



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Major ...  
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By Gilbert ...



REASONS *against the Repealing the Acts of Parliament concerning the TEST.*  
*Humbly offered to the Consideration of the Members of both*  
*Houses, at their next Meeting.*

I. IF the just Apprehensions of the Danger of *Papery* gave the Birth to the *two Laws* for the *two Tests*, the one with relation to all *publick Employments* in 73. and the other with relation to the *Constitution* of our *Parliaments* for the future in 78. the present time and conjuncture does not seem so proper for repealing them; unless it can be imagined, that the Danger of *Papery* is now so much less than it was formerly, that we need be no more on our guard against it. We had a King, when these Laws were enacted, who as he declared himself to be of the Church of *England*, by receiving the Sacrament four times a year in it, so in all his Speeches to his Parliaments, and in all his Declarations to his Subjects, he repeated the assurances of his firmness to the Protestant Religion so solemnly and frequently, that if the saying a thing often gives just reason to believe it, we had as much reason as ever People had to depend upon him: and yet for all that, it was thought necessary to fortifie those Assurances with Laws: and it is not easie to imagin, why we should throw away those, when we have a Prince that is not only of another Religion himself, but that has expressed so much steadiness in it, and so much zeal for it. that one would think we should rather now seek a further

security, than throw away that which we already have.

II. Our King has given such Testimonies of his Zeal for his Religion, that we see among all his other Royal Qualities, there is none for which he desires and deserves to be so much admired. Since even the passion of Glory, of making himself the terror of all *Europe*, and the Arbitrer of *Christendom* ( which as it is natural to all Princes, so must it be most particularly so to one of his Martial and Noble Temper ) yields to his Zeal for his Church; and that he, in whom we might have hoped to see our *Edward* the Third, or our *Henry* the Fifth reviv'd; chooses rather to merit the heightning his degree of Glory in another World, than to Acquire all the Lawrels and Conquests that this low and vile World can give him: and that, instead of making himself a terror to all his Neighbours, he is contented with the humble Glory of being a terror to his own People; so that instead of the great Figure which this Reign might make in the World, all the News of *England* is now only concerning the praetises on some fearful Mercenaries. These things shew, That His Majesty is so possessed with his Religion, that this cannot suffer us to think, that there is at present no danger from *Papery*.

III. It does not appear, by what we see, either abroad or at home, that Popery has so changed its nature, that we have less reason to be afraid of it at present, than we had in former time. It might be thought ill nature to go so far back, as to the Councils of the *Lateran*, that decreed the *extirpation of Hereticks*, with severe Sanctions on those Princes that failed in their Duty, of being the Hangmen of the Inquisitors; or to the Council of *Constance*, that decreed, that Princes were not bound to keep their faith to Hereticks; tho it must be acknowledged, that we have extraordinary Memorials if we can forget such things, and more extraordinary Understandings if we do not make some inferences from them. I will not stand upon such inconsiderable Trifles as the Gunpowder-Plot, or the Massacre of *Ireland*; but I will take the liberty to reflect a little on what that Church has done since those Laws were made, to give us kinder and softer thoughts of them, and to make us the less apprehensive of them. We see before our Eyes, what they have done, and are still doing in *France*; and what feeble things *Edicts*, *Coronation Oaths*, *Laws* and *Promises*, repeated over and over again, proved to be, where that Religion prevails; and *Louis le Grand* makes not so contemptible a Figure in that Church, or in our Court, as to make us think, that his example may not be proposed as a Pattern, as well as Aid may be offered for an encouragement, to act the same things in *England*,

that he is now doing with so much Applause in *France*; and it may be perhaps the rather desired from hence to put him a little in countenance, when so great a King as ours is willing to forget himself so far as to copy after him, and to depend upon him: so that as the Doctrine and Principles of that Church must be still the same in all Ages and Places, since its chief pretension is, that it is *Infallible*, it is no unreasonable thing for us to be afraid of those, who will be easily induced to burn us a little here, when they are told, that such fervent Zeal will save them a more lasting burning hereafter, and will perhaps quit all scores so entirely, that they may hope scarce to endure a Singeing in Purgatory for all their other Sins.

IV. If the severest Order of the Church of *Rome*, that has breathed out nothing but Fire and Blood since its first formation, and that is even decry'd at *Rome* it self for its Violence, is in such credit here; I do not see any inducement from thence to persuade us to look on the Councils that are directed by that Society, as such harmless and inoffensive things, that we need be no more on our guard against them. I know not why we may not apprehend as much from *Father Petre*, as the *French* have felt from *Pere de la Chaise*, since all the difference that is observed to be between them, is, that the *English Jesuite* has much more Fire and Passion, and much less Conduct and Judgment than the *French* has. And when *Rome* has expressed so great

great a Jealousy of the Interest that that Order had in our Councils, that *F. Morgan*, who was thought to influence our *Ambassadour*, was ordered to leave *Rome*, I do not see why *England* should look so tamely on them. No reason can be given why *Card. Howard* should be shut out of all their Councils, unless it be, that the Nobleness of his Birth, and the Gentleness of his Temper, are too hard even for his Religion and his Purple, to be mastered by them. And it is a Contradiction; that nothing but a Belief capable of receiving *Transubstantiation* can reconcile, to see Men pretend to observe Law, and yet to find at the same time an *Ambassadour* from *England* at *Rome*, when there are so many Laws in our Book of Statutes, never yet Repealed, that have declared over and over again all Commerce with the Court and See of *Rome* to be High Treason.

V. The late famous Judgment of our Judges, who knowing no other way to make their Names immortal, have found an effectual one to preserve them from being ever forgot, seems to call for another Method of Proceeding. The President they have set must be Fatal either to them or us. For if Twelve Men, that get into Scarlet and Furs, have an Authority to dissolve all our Laws, the *English Government* is to be hereafter lookt at with as much Scorn, as it has hitherto drawn Admiration. That doubtful Words of *Laws*, made so long ago, that the intention of the *Lawgivers* is not certainly known, must be expounded by the Judges, is

not to be question'd: but to infer from thence, that the plain Words of a Law so lately made, and that was so vigorously asserted by the present Parliament, may be made void by a Decision of theirs, after so much Practice upon them, is just as reasonable a way of Arguing, as theirs is, who because the Church of *England* acknowledges that the Church has a Power in Matters of Rites and Ceremonies, will from thence conclude, that this Power must go so far, that tho Christ has said of the Cup, *Drink ye all of it*, we must obey the Church when she decrees that we shall not drink of it: Our Judges for the greater part, were Men that had pass'd their Lives in so much Retirement, that from thence one might have hoped, that they had studied our Law well, since the Bar had called them so seldome from their Studies: and if Practice is thought often hurtful to Speculation, as that which disorders and hurries the Judgment, they who had practised so little in our Law, had no by-ends on their Understandings: and if the habit of taking Money as a Lawyer is a dangerous preparation for one that is to be an incorrupt Judge, they should have been incorruptible, since it is not thought, that the greater part of them got ever so much Money by their Profession as pay'd for their Furs. In short, we now see how they have, merited their Preferment, and they may yet expect a further Exaltation when the Justice and the Laws of *England* come to be in hands, that will be

be as careful to preserve them, as they have been to destroy them. But what an Infamy will it lay upon the Name of an *English Parliament*, if instead of calling those *Betrayers of their Countrey* to an account, they should go by an after-game to confirm what these *Fellows* have done.

V I. The late *Conferences* with so many *Members* of both houses, will give such an ill-natured piece of Jealousy against them, that of all Persons living, that are the most concern'd to take care how they give their *Votes*, the World will believe, that *Threatnings* and *Promises* had as large a share in those *secret Conversations*, as Reasoning or Persuasion: and it must be a more than ordinary degree of Zeal and Courage in them, that must take off the Blot, of being *sent for*, and *spoke to*, on such a subject and such a manner. The worthy Behaviour of the *Members* in the *last Session*, had made the *Nation* unwilling to remember the Errors committed in the *first Election*: and it is to be hoped, that they will not give any cause for the future to call that to mind. For if a *Parliament*, that had so many Flaws in its first Conception, goes to repeal *Laws*, that we are sure were made by *Legal Parliaments*, it will put the *Nation* on an Enquiry that nothing but necessity will drive them to. For a *Nation* may be laid asleep, and be a little cheated; but when it is awaked, and sees its danger, it will not look on and see a *Rape* made on its *Religion* and *Liberties*, without examining, from whence have these Men this Authority? they will hard-

ly find that it is of *Men*; and they will not believe that it is of *God*. But it is to be hoped, that there will be no occasion given for this angry question which is much easier made than answered.

V I I. If all that where now asked in favour of *Poper*y, were only some Gentleness towards the *Papists*, there were some reason to entertain the *Debate*, when the Demand were a little more modest: If Men were to be attainted of *Treason*, for being *Reconciled* to the *Church of Rome*, or for *Reconciling* others to it; If *Priests* were demanded to be *hanged*, for taking Orders in the *Church of Rome*; and if the *two thirds* of the *Papists Estates* were offered to be *Levied*, it were a very natural thing to see them uneasy and restless: but now the matter is more barefaced; they are not contented to live at ease, and enjoy their *Estates*; but they must carry all before them: and *F. Petre* cannot be at quiet, unless he makes as great a *Figure* in our *Court*, as *Pere de la Chaise* does at *Versailles*.

A Cessation of all Severities against them, is that to which the *Nation* would more easily submit; but it is their Behaviour that must create them the continuance of the like Compassion in another *Reign*. If a restless and a persecuting Spirit were not inherent in that *Order*, that has now the *Ascendant*, they would have behaved themselves so decently under their present Advantages; as to have made our *Divines*, that have charged them so heavily, look a little out of countenance: and this would

would have wrought more on the good Nature of the Nation, and the Princely Nobleness of the Successors whom we have in view, than those Arts of Craft and Violence, to which we see their Tempers carry them even so early, before it is yet time to show themselves. The Temper of the English Nation, the Heroical Vertues of those whom we have in our Eyes, but above all, our most holy Religion, which instead of Revenge and Cruelty, inspires us with Charity and Mercy, even for Enemies, are all such things, as may take from the Gentlemen of that Religion all sad apprehensions, unless they raise a Storm against themselves, and provoke the Justice of the Nation to such a degree, that the Successors may find it necessary to be just, even when their own Inclinations would rather carry them to shew Mercy. In short, they need fear nothing but what they create to themselves: so that all this stir that they keep for their own Safety, looks too like the securing to themselves Pardons for the Crimes that they intend to commit.

VIII. I know it is objected as no small prejudice against these Laws, that the very making of them discovered a particular Malignity against His Majesty, and therefore it is ill Manners to speak for them. The first had perhaps an Eye at his being then Admiral; and the last was possibly levelled at him: though when that was discovered, he was excepted out of it by a special Proviso. And as for that which past in 73, I hope it is not forgot, that it was

enacted by that Loyal Parliament, that had settled both the Prerogative of the Crown and the Rites of the Church, and that had given the King more Money than all the Parliaments of England had ever done in all former Times. A Parliament that had indeed some Disputes with the King, but upon the first step that he made with relation to Religion or Safety. they shewed how ready they were to forget all that was past: as appeared by their Behaviour after the Triple Alliance. And in 73, though they had great cause given them to dislike the Dutch War, especially the strange beginning of it upon the Smirna Fleet: and the stopping the Exchequer, the Declaration for Toleration, and the Writes for the Members of the House, were Matters of hard Digestion; yet no sooner did the King give them this new assurance for their Religion then, though they had very great Reasons given them to be jealous of the War, yet since the King was Engaged, they gave him 1200000 Pounds for carrying it on; and they thought they had no ill Penniworths for their Money, when they carried home with them to their Countries this new Security for their Religion, which we are now desired to throw up, and which the Reverend Judges have already thrown out as a Law out of date. If this had carried in it any new piece of Severity, their Complaints might be just; but they are extream tender, if they are so uncasse under a Law that only gives them Leisure and Opportunities to live at Home. And the last Test, which was



intended only for shutting them out from a share in the Legislative Body, appears to be so just, that one is rather amazed to find that it was so long a doing, than that it was done at last; and since it is done, it is a great presumption on our Understandings to think, that we should be willing to part with it. If it was not sooner done, it was because there was not such cause given for Jealousie to work upon; but what has appeared since that time, and what has been Printed in his Majesty's Name, shews the World now, that the Jealousies which occasion'd those Laws, were not so ill grounded, as some well meaning Men perhaps then believed them to be. But there are some times in which all Mens Eyes come to be opened.

IX. I am told, some think it is very indecent to have a Test for our Parliaments, in which the King's Religion is accused of Idolatry; but if this reason is good in this particular, it will be full as good against several of the Articles of our Church, and many of the Homilies. If the Church and Religion of this Nation is so formed by Law, that the King's Religion is declared over and over again to be Idolatrous, what help is there for it? It is no other, than it was when His Majesty was Crowned, and Swore to Maintain our Laws.

I hope none will be wanting in all possible Respect to his sacred Person; and as we ought to be infinitely sorry to find him engaged in a Religion which we must believe Idolatrous, so

we are far from the ill manners of reflecting on his Person, or calling him an Idolater: for as every Man that reports a Lye, is not for that to be called a Liar; so that tho' the ordering the Intention, and the prejudice of a mispersuasion are such abatements, that we will not rashly take on us to call every Man of the Church of Rome an Idolater; yet on the other hand, we can never lay down our Charge against the Church of Rome as guilty of Idolatry, unless at the same time we part with our Religion.

X. Others give us a strange sort of Argument, to persuade us to part with the Test; they say, "The King must employ his Popish Subjects, for he can trust no other; and he is so assured of their Fidelity to him, that we need apprehend no Danger from them." This is an odd Method to work on us, to let in a sort of People to the Parliament and Government, since the King cannot trust us, but will depend on them: so that as soon as this Law is repealed, they must have all the Employments, and have the whole Power of the Nation lodged in their hands; this seems a little to gross to impose, even on *Irish-men*. The King saw for many Years together, with how much Zeal both the Clergy, and many of the Gentry appeared for his Interests; and if there is now a Melancholy Damp on their Spirits, the King can dissipate it when he will; and as the Church of *England* is a Body that will never Rebel against him, so any Sullenness under which the late

Administration of Affairs has brought them, would soon vanish, if the King would be pleas'd to remember a little what he has so often promised, not only in Publick but in Private; and would be contented with the Exercise of his own Religion, without imbroiling his whole Affairs, because *F. Petre* will have it so: and it tempts Englishmen to to more than ordinary degrees of Rage, against a sort of Men, who it seems, can infuse in a Prince, born with the highest Sense of Honour possible, Projects to which without doing some Violence to his own Royal

Nature, he could not so much as hearken to, if his Religion did not so fatally muffle him up in a blind Obedience. But if we are so unhappy, that Priests can so disguise Matters, as to mis-lead a Prince, who without their ill Influences would be the most Glorious Monarch of all *Europe*, and would soon reduce the *Grand Louis* to a much humbler Figure, yet it is not to be so much as imagined, that ever their Arts can be so unhappily successful, as to impose on an English Parliament, composed of Protestant Members.



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Some REFLECTIONS on His Majesties Proclamation of the Twelfth of February, 1686 for a Toleration in Scotland, together with the said Proclamation.

I. **T**He Preamble of a Proclamation is oft writ in hast, and is the flourish of some warren Pen: but one of such an Extraordinary nature as this is, was probably more severely Examined; there is a new designation of his Majesties Authority here set forth of his *Absolute Power*, which is so often repeated, that it deserves to be a little searched into. Prerogative Royal and Sovereign Authority, are Terms already received and known; but for this *Absolute Power*, as it is a new Term, so those who have coined it, may make it signify what they will. The Roman Law speaks of *Princeps Legibus solutus*, and *Absolute* in its natural signification, importing the being without all Ties and Restraints; then the true meaning of this seems to be, that there is an Inherent Power in the King, which can neither be restrained by Laws, Promises, nor Oaths; for nothing less than the being free from all these, renders a Power *Absolute*.

II. If the former Term seemed to stretch our Allegiance, that which comes after it, is yet a step of another nature, tho one can hardly imagine what can go beyond *Absolute Power*: and it is in these Words, *Which all our Subjects are to obey without reserve*. And

this is the carrying Obedience many sizes beyond what the Grand Seigneur ever yet claimed: For all Princes, even the most violent Pretenders to *Absolute Power*, till *Lewis* the Great's time, have thought it enough to oblige their Subjects to submit to their Power, and to bear whatsoever they thought good to impose upon them; but till the Days of the late Conversions by the Dragoons, it was never so much as pretended, that Subjects were bound to *Obey* their Prince *without Reserve*, and to be of his Religion, because he would have it so. Which was the only Argument that those late Apostles made use of; so it is probable this qualification of the Duty of Subjects was put in here, to prepare us for a terrible *le Roy le veut*; and in that case we are told here, that we must *Obey without Reserve*; and when those Severe Orders come, the Privy Council, and all such as execute this Proclamation, will be bound by this Declaration to shew themselves more forward than any others, to *Obey without Reserve*: and those poor pretensions of Conscience, Religion, Honour, and Reason, will be then reckoned as *Reserves* upon their Obedience, which are all now shut out.

III. These being the grounds upon  
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which this Proclamation is founded, we ought not only to consider what consequences are now drawn from them, but what may be drawn from them at any time hereafter ; for if they are of force, to justify that which is inferred from them, it will be full as just to draw from the same premises an Abolition of the Protestant Religion, of the Rights of the Subjects, nor only to Church-Lands, but to all Property whatsoever. In a word, it Asserts a Power to be in the King, to Command what he will, and an Obligation in the Subjects, to Obey whatsoever he shall Command.

IV. There is also mention made in the Preamble of the *Christian Love and Charity*, which His Majesty would have established among Neighbours ; but another dash of a Pen, founded on this *Absolute Power*, may declare us all Hereticks ; and then in wonderful Charity to us, we must be told, that we are either to Obey without Reserve or to be Burnt without Reserve. We know the Charity of that Church pretty well : It is indeed Fervent and Burning : and if we have forgot what has been done in former Ages, *France, Savoy, and Hungary*, have set before our Eyes very fresh instances of the Charity of that Religion. While those Examples are so green, it is a little too imposing on us, to talk to us of *Christian Love and Charity*. No doubt His Majesty means sincerely, and his Exactness to all his Promises, chiefly to those made since he came to the

Crown, will not suffer us to think an unbecoming Thought of his Royal-Intentions ; but yet after all, tho' it seems by this Proclamation, that we are bound to *Obey without Reserve*, it is hardship upon hardship to be bound to *Believe without Reserve*.

V. There are a sort of People here Tolerated, that will be hardly found out : and these are the Moderate Presbyterians : Now, as some say, that there are very few of those People in Scotland that deserves this Character, so it is hard to tell what it amounts to ; and the calling any of them Immoderate, cuts off all their share in this Grace. Moderation is a quality that lyes in the mind, and how this will be found out, I cannot so readily guess. If a Standard had been given of Opinions or Practices, then one could have known how this might have been distinguished ; but as it lyes, it will not be easy to make the Discrimination ; and the declaring them all Immoderate, shuts them out quite.

VI. Another Foundation laid down for repealing all Laws made against the Papists, is, That they were Enacted in King *James the Sixth's* Minority : with some harsh expressions, that are not to be insisted on, since they shew more the heat of the Penner, than the Dignity of the Prince, in whose name they are given out ; But all these Laws were ratified over and over again by King

King *James*, when he came to be of full Age: and they have received many Confirmations by King *Charles* the First, and King *Charles* the Second, as well as by his present Majesty, both when he represented his Brother in the Year 1681, and since he himself came to the Crown: so that whatsoever may be said concerning the first Formation of those Laws, they have received now for the course of a whole hundred Years, that are lapsed since King *James* was of full Age, so many Confirmations, that if there is any thing certain in Human Government, we might depend upon them; but this new coyned *Absolute Power* must carry all before it.

VII. It is also well known, that the whole Settlement of the Church Lands and Tythes, with many other things, and more particularly the Establishment of the Protestant Religion, was likewise enacted in King *James's* minority, as well as those Penal Laws: so that the Reason now made use of, to annul the penal Laws, will serve full as well for another Act of this *Absolute Power*, that shall abolish all those; and if Maxims that un hinge all the Securities of Human Society, and all that is sacred in Government, ought to be looked on with the justest and deepest prejudices possible, one is tempted to lose the respect that is due to every thing that carries a Royal Stamp upon it, when he sees such grounds made use of, as must shake all Settlements whatsoever; for if a prescription of

120 Years, and Confirmations reiterated over and over again these 100 Years past, do not purge some Defects in the first Formation of those Laws, what can make us secure: but this looks so like a Fetch of the French Prerogative Law, both in their processes with Relation to the *Edict of Nantes*, and those concerning Dependences at *Mets*, that this seems to be a Copy from that famous Original.

VIII. It were too much ill nature to look into the History of the last Age, to examine on what grounds those Characters of *pious* and *blessed* given to the Memory of *Q. Mary* are built, but since *K. James's* Memory has the character of *glorious* given to it, if the Civility of the fair Sex makes one unwilling to look into one, yet the other may be a little dwelt on. The peculiar Glory that belongs to *K. James's* Memory, is, that he was a Prince of great Learning, and that he employed it chiefly in writing for his Religion: of the Volume in *Folio*, in which we have his Works, two thirds are against the Church of *Rome*, one part of them is a Commentary on the Revelation, proving that the Pope is Antichrist; another part of them belonged more naturally to his Post Dignity; which is the warning that he gave to all the Princes and States of *Europe*, against the Treasonable and Bloody Doctrines of the Papacy. The first Act he did when he came of Age, was to swear in person with all his Family, and afterwards with all his people

ple of *Scotland*, a Covenant, containing an Enumeration of all the points of Popery, and a most solemn Renunciation of them, somewhat like our Parliament Test: his first Speech to the Parliament of *England* was Copious on this Subject: and he left a Legacy of a Wish on such of his Posterity as should go over to that Religion, which in good manners is suppressed. It is known, *R. James* was no Conquerour, and that he made more use of his Pen than his Sword: so the Glory that is peculiar to his Memory must fall chiefly on his Learned and Immortal Writings: and since there is such a Veneration expressed for him, it agrees not ill with this, to wish, that his Works were more studied by those who offer such Incense to his *Glorious* Memory.

IX. His Majesty assures his people of *Scotland*, upon a certain Knowledge and long Experience, that the Catholics, as they are good Christians, so they are likewise Dutiful Subjects: but if we must believe both these equally, then we must conclude severely against their being good Christians; for we are sure they can never be good Subjects, not only to a Heretical Prince if he does not extirpate Hereticks; for their beloved Council of the Lateran, that decreed Transubstantiation has likewise decreed, that if a Prince does not extirpate Hereticks out of his Dominions, the Pope must depose him, and declare his Subjects absolved from their Allegiance, and give his Dominions to another: so that even

His Majesty, how much soever he may be a Zealous Catholic, yet cannot be assured of their fidelity to him, unless he has given them secret Assurances, that he is resolved to extirpate Hereticks out of his Dominions; and that all the Promises which he now makes to these poor wretches are no other way to be kept, than the Assurances which the Great *Lewis* gave to his Protestant Subjects, of his observing still the Edict of *Nantes* even after he had resolved to break it, and also his last promise made in the Edict, that repealed the Edict of *Nantes*, by which he gave Assurances, that no Violence should be used to any for their Religion, in the very time that he was ordering all possible Violences to be put in execution against them.

X. His Majesty assures us, that on all Occasions the Papists have shewed themselves good and faithful Subjects to him and his Royal Predecessors; but how *Absolute* soever the King's Power may be, it seems his Knowledge of History is not so Absolute, but it may be capable of some Improvement. It will be hard to find out what Loyalty they shewed on the Gunpowder Plot, or during the whole progress of the Rebellion of *Ireland*; if the King will either take the words of King *James* of *Glorious* Memory, or *R. Charles* the first, that was indeed of pious and blessed Memory, rather than the penners of this Proclamation, it will not be hard to find Occasions where they were a little wanting in this their so much boasted Loyalty: and we are sure, that by the Principles  
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of that Religion, the King can never be assured of the Fidelity of those he calls his Catholick Subjects, but by engaging to them to make his Heretical Subjects Sacrifices to their Rage.

XI. The King declares them capable of all the Offices and *Benefices* which he shall think fit to bestow on them, and only restrains them from invading the Protestant Churches by force: so that here a Door is plainly opened for admitting them to the Exercise of their Religion in Protestant Churches, so they do not break into them by force; and whatsoever may be the Sense of the term *Benefice* in its ancient and first signification, now it stands only for Church Preferments; so that when any Churches, that are at the King's Gift, fall vacant, here is a plain intimation, that they are to be provided to them; and then it is very probable, that all the Laws made against such as go not to their parish Churches, will be severely turned upon those that will not come to Mass.

XII. His Majesty does in the next place, in the virtue of his *Absolute Power*, Annul a great many Laws, as well those that Established the Oaths of Allegiance and Supremacy, as the late Test, enacted by himself in person, while he represented his Brother: upon which he gave as strange an Essay to the World of his Absolute Justice in the Attainder of the late Earl of Argle, as he does now of his *Absolute*

*Power* in condemning the Test it self, he also repeals his own Confirmation of the Test, since he came to the Crown, which he offered as the clearest Evidence that he could give of his Resolution to maintain the Protestant Religion, and by which he gained so much upon that Parliament, that he obtained every thing from them that he desired of them; till he came to try them in the Matters of Religion. This is no Extraordinary Evidence to assure his people, that his Promises will be like the Laws of the Medes and Persians, which alter not; nor will the disgrace of the Commissioner that enacted that Law, lay this matter wholly on him; for the Letter, that he brought, the Speech that he made, and the Instructions which he got, are all too well known to be so soon forgotten: and if Princes will give their Subjects reason to think, that they forget their Promises, as soon as the turn is served for which they were made, this will be too prevailing a Temptation on the Subjects to mind the Princes promise as little as it seems he himself does and will force them to conclude, that the Truth of the Prince, is not so Absolute as it seems: he fancies his Power to be.

XIII. Here is not only a repealing of a great many Laws, and established Oaths and Tests, but by the Exercise of the *Absolute Power*, a new Oath is imposed, which was never pretended to by the Crown in any former time, and as the Oath is created by this *Absolute*

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*Power*, so it seems the *Absolute Power* must be supported by this Oath: since one branch of it, is an Obligation to Maintain His Majesty and His Lawful Successors in the Exercise of this their *Absolute Power* and Authority against all deadly, which I suppose is Scotch for Mortals: now to impose so hard a yoke as this *Absolute Power* on the Subject, seems no small stretch; but it is a wonderful exercise of it to oblige the Subjects to defend this: it had been more modest, if they had been only bound to bear it, and submit to it: but it is a terrible thing so far to extinguish all the remnants of natural Liberty, or of a Legal Government, as to oblige the Subjects by Oath to maintain the Exercise of this, which plainly must destroy themselves: for the short execution by the Bow-strings of *Turkey*, or by sending Orders to Men to return in their Heads, being an Exercise of this *Absolute Power*, it is a little too hard to make men swear to maintain the King in it: and if that Kingdom has suffered so much by the many Oaths that have been in use among them, as is marked in this Proclamation, I am afraid this new Oath will not much mend the matter.

XIV. Yet after all, there is some Comfort; his Majesty assures them, he will use no Violence nor Force, nor any *Invincible Necessity* to any man on the account of his persuasion: It were too great a want of respect to fancy, that a time may come in which even this may be remembr'd, full as well, as the promises that were made to the Parlia-

ment after His Majesty came to the Crown: I do not I Confess, apprehend that; for I see here so great a Caution used in the choice of these words, that it is plain, very great Severities may very well consist with them: It is clear, that the general words of Violence and Force are to be determined by these last of *Invincible Necessity*, so that the King, does only promise to lay no *Invincible Necessity* on his Subjects; but for all Necessities that are not *Invincible*, it seems they must expect to bear a large share of them; Disgraces, want of Employments, Fines and Imprisonments, and even Death it self are all *Vincible* things to a man of a firmness of mind: so that the Violences of Torture, the Furies of Dragoons, and some of the Methods now practis'd in *France*, perhaps may be Included within this Promise; since these seem almost *Invincible* to Humane Nature, if it is not fortified with an Extraordinary measure of Grace: but as to all other things, His Majesty binds himself up from no part of the Exercise of His *Absolute Power* by this Promise.

XV. His Majesty Orders this to go Immediately to the Great Seal, without passing through the other Seals: now since this is Counter-signed by the Secretary in whose hands the Signet is, there was no other step to be made but through the Privy Seal; so I must own I have a great Curiosity of knowing his Character in whose hands the Privy Seal is at present; for it seems his Conscience is not so very supple, as the



the Chancellors and the Secretaries are; but it is very likely, if he does not quickly change his mind, the Privy Seal at least will very quickly change its Keeper; and I am sorry to hear, that the Lord Chancellor and the Secretary have not another Brother to fill this post, that so the guilt of the ruin of that Nation, may lie on one single Family, and that there may be no others involved in it.

XVI. Upon the whole matter, many smaller things being waved, it being extream unpleasant to find fault, where one has all possible dispositions to pay

all respect; we here in *England* see what we must look for. A Parliament in *Scotland* was tryed, but it proved a little Stubborn; and now *Absolute Power* comes to set all right; so when the Closetting has gone round, so that Noses are counted, we may perhaps see a Parliament here; but if it chanceth to be untoward, and not to *Obey without Reserve*, then our Reverend Judges will copy from *Scotland*, and will not only tell us of the King's Imperial Power, but will discover to us this new Mystery of *Absolute Power*, to which we are all bound to *Obey without Reserve*.

*These Reflexions refer in so many places to some words in the Proclamation, that it was thought necessary to set them near one another, that the Reader may be able to Judge, whether he is deceived by any false Quotations or not.*

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By

By the King.

## A P R O C L A M A T I O N .

JAMES R.

**J**AMES the Seventh by the Grace of God,  
King of Scotland, England, France &  
Ireland, Defender of the Faith, &c.  
To all and sundry our good Subjects.  
whom these presents do or may con-  
cern, *Greeting.* We have taken into  
our Royal Consideration the many and  
great inconveniencies which have hap-  
pened to that our Ancient Kingdom of  
Scotland of late years, through the dif-  
ferent persuasions in the Christian Reli-  
gion, and the great Heats and Ani-  
mosities amongst the several Professors  
thereof, to the ruin and decay of  
Trade, wasting of Lands, extinguish-  
ing of Charity, contempt of the Royal  
Power; and converting of True Reli-  
gion, and the Fear of God, into Ani-  
mosities, Names, Fractions, and some-  
times into Sacrilege and Treason. And  
being resolved as much as in us lyes,  
to Unite the Hearts and Affections of  
Our Subjects, to GOD in Religion, to  
Us in Loyalty, and to their Neigh-  
bours in *Christian Love and Charity.*  
Have therefore thought fit to Grant,  
and by Our Sovereign Authority, Pre-  
rogative Royal, and *Absolute Power,*  
*which all Our Subjects are to Obey with-  
out Reserve;* Do hereby give and  
grant Our Royal Toleration; to the se-  
veral Professors of the Christian Reli-  
gion after named, with, and under  
the several Conditions, Restrictions,  
and Limitations after-mentioned. In  
the first place, We allow and Tolerate  
the Moderate Presbyterians, to Meet  
in their Private Houses, and there to  
hear all such Ministers, as either have,

or are willing to accept of Our Indul-  
gence allannerly, and none other, and  
that there be not any thing said or  
done contrary to the Well and Peace  
of Our Reign, Seditious or Treasona-  
ble, under the highest Pains these  
Crimes will import; nor are they to  
presume to Build Meeting-Houses, or  
to use Out-Houses or Barns, but only  
to exercise in their Private Houses, as  
said is: In the mean time, it is Our  
Royal Will and Pleasure, that Field-  
Conventicles, and such as Preach, or  
Exercise at them, or who shall any  
ways assist or connive at them, shall  
be prosecuted according to the utmost  
Severity of our Laws made against  
them, seeing from these Rendezvous  
of Rebellion, so much Disorder hath  
proceeded, and so much Disturbance  
to the Government, and for which after  
this Our Royal Indulgence for tender  
Consciences there is no Excuse left.  
In like manner, we do hereby tolerate  
Quakers to meet and Exercise in their  
Form, in any Place or Places appoint-  
ed for their Worship. And consider-  
ing the Severe and Cruel *Laws* made  
against *Roman Catholics* ( therein cal-  
led *Papists* ) in the Minority of Our  
Royal Grand Father of \* *Glorious* Me-  
mory, without His Consent, and con-  
trary to the Duty of good Subjects, by  
His Regents, and other Enemies to  
their Lawful Sovereigns: Our Royal  
Great Grand Mother Queen *Mary* of  
*Blessed* and *Pious* Memory, wherein un-  
der the pretence of Religion, they  
cloathed the worst of Treasons, Facci-  
ons, and Usurpations, and made these  
*Laws*, not as against the Enemies of  
G O D,

G O D, but their own; which *Laws* have still been continued of course without design of executing them, or any of them *ad terrorem* only, on Supposition, that the *Papists* relying on an External Power, were incapable of Duty, and true Allegiance to their Natural Sovereigns, and Rightful Monarchs; We of Our certain Knowledge, and long Experience, knowing that the *Catholicks*, as it is their Principle to be Good *Christians*, so it is to be dutiful Subjects; and that they have likewise on all Occasions shewn themselves Good and Faithful Subjects to Us, and Our Royal Predecessors, by hazarding, and many of them actually losing their Lives and Fortunes, in their Defence ( though of another Religion ) and the Maintenance of their Authority against the Violences and Treasons of the most violent Abettors of these *Laws*: Do therefore with Advice and Consent of Our Privy Council, by Our Sovereign Authority, Prerogative Royal, and *Absolute Power*, aforesaid, Suspend, Stop, and disable all *Laws*, or Acts of Parliament, Customs or Constitutions, made or executed against any of our *Roman Catholic* Subjects, in any time past, to all Intents and Purposes, making void all Prohibitions therein mentioned, pains or penalties therein ordained to be Inflicted, so that they shall in all things be as free in all Respects as any of our Protestant Subjects whatsoever, nor only to Exercise their Religion, but to enjoy all Offices, Benefices and others, which We shall think fit to bestow upon them in all time coming: Nevertheless, it is Our Will and Pleasure, and we do hereby command all *Catholicks* at their highest Pains, only to Exercise their Religious Worship in Houses or Chapels; and that they presume not to

Preach in the open Fields, or to invade the Protestant Churches by force, under the pains aforesaid, to be inflicted upon the Offenders respectively; nor shall they presume to make Publick Processions in the High-Streets of any of Our Royal Burghs, under the Pains above-mentioned. And whereas the Obedience and Service of Our Good Subjects is due to Us by their Allegiance, and Our Sovereignty, and that no Law, Custom, or Constitution, Difference in Religion, or other Impediment whatsoever, can exempt or discharge the Subjects from their Native Obligations and Duty to the Crown or hinder Us from Protecting, and Employing them, according to their several Capacities, and Our Royal Pleasure; nor Restrain us from Conferring Heretable Rights and Privileges upon them, or vacate or annul these Rights Heretable, when they are made or conferred; And likewise considering, that some Oaths are capable of being wrested by Men of finisitous Intentions, a practice in that Kingdom fatal to Religion as it was to Zolaly; Do therefore, with Advice and Consent aforesaid, Cass, Annul and Discharge all Oaths whatsoever, by which any of Our Subjects are incapacitated, or disabled from holding Places, or Offices in Our said Kingdom, or enjoying their Hereditary Rights and Privileges, discharging the same to be taken or given in any time coming, without our special Warrant and Consent; under the pains due to the Contempt of Our Royal Commands and Authority. And to this effect we do by Our Royal Authority aforesaid, Stop, Disable, and Dispense with all *Laws* enjoying the said Oaths, Tests, or any of them, particularly the first Act of the first Session of the first Parliament of King Charles

the Second; the Eleventh Act of the foresaid Session of the foresaid Parliament, the sixth Act of the third Parliament of the said King Charles; the twenty first and twenty fifth Acts of that Parliament, and the thirteenth Act of the first Session of: Our late Parliament, in so far allannerly as concerns the taking the *Oaths or Tests* therein prescribed, and all others, as well not mentioned as mentioned, and that in place of them, all Our good Subjects, or such of them as We or Our Privy Council shall require so to do, shall take and swear the following Oath allannerly.

*I A. B. do acknowledge, resist and declare, that JAMES the Seventh, by the Grace of God, King of Scotland, England, France and Ireland, Defender of the Faith, &c. is rightful King and Supreme Governour of these Realms, and over all persons therein; and that it is unlawful for Subjects, on any pretence, or for any cause whatsoever, to rise in Arms against Him, or any Commissionated by Him; and that I shall never so rise in Arms, nor assist any who shall so do; and that I shall never resist His power or Authority, nor ever oppose his Authority to his Person, as I shall answer to God; but shall to the utmost of my power Assist, Defend, and Maintain him, his Heirs and Lawful Successors, in the Exercise of their Absolute Power, and Authority against all Deadly. So help me God.*

And seeing many of Our good Subjects have before Our pleasure in these Matters was made publick, incurred the Guilt appointed by the Acts of Parliament above-mentioned, or others; We, by Our Authority, and Absolute power and prerogative Royal above-mentioned, of Our certain Knowledge, and innare Mercy, Give Our ample and full Indemnity to all those of the

*Roman-Catholick or popish Religion*, for all things by them done contrary to Our Laws, or Acts of Parliament, made in any time past, relating to their Religion, the Worship and Exercise thereof, or for being papists, Jesuits, or Traffickers, for hearing, or saying of Mass, concealing of Priests or Jesuits breeding their Children Catholicks at home or abroad, or any other thing, Rite or Doctrine, said, performed, or maintained by them, or any of them: And likewise, for holding or taking of Places, Employments, or Offices, contrary to any Law or Constitution, Advices given to Us, or Our Council, Actions done, or generally any thing performed or said against the known Laws of that Our Ancient Kingdom: Excepting always from this Our Royal Indemnity, all Murders, Assassinations, Thefts, and such like other Crimes, which never used to be comprehended in Our General Acts of Indemnity. And we command and require all Our Judges, or others concerned, to explain this in the most Ample Sense and Meaning Acts of Indemnity at any time have contained: Declaring this shall be as good to every one concerned, as if they had Our Royal pardon and Remission under Our Great Seal of that Kingdom. And likewise indemnifying Our Protestant Subjects from all pains and penalties due for hearing or preaching in Houses; providing there be no Treasonable Speeches uttered in the said Conventicles by them, in which case the Law is only to take place against the Guilty, and none other present; providing also that they Reveal to any of Our Council the Guilt so committed; As also, excepting all Fines, or Effects of Sentences already given. And likewise Indemnifying fully and freely all Quakers, for their Meetings: and

and Worship, in all time past, preceeding the publication of these presents. And we doubt not but Our Protestant Subjects will give their Assistance and Concourse hereunto, on all Occasions, in their respective Capacities. In consideration whereof, and the ease those of Our Religion, and others may have hereby, and for the Encouragement of Our Protestant Bishops, and the Regular Clergy, and such as have hitherto lived orderly, We think fit to declare, that it never was Our principle, nor will We ever suffer Violence to be offered to any Man's Conscience, nor will we use Force, or *Invincible Necessity* against any Man on the Account of his persuasion, nor the protestant Religion, but will protect Our Bishops and other Ministers in their Functions, Rights and properties, and all Our protestant Subjects in the free Exercise of their protestant Religion in the Churches. And that We will, and hereby promise, on Our Royal Word, to maintain the possessors of Church-Lands formerly belonging to Abbeyes, or other Churches of the Catholick Religion, in their full and free possession and Right, according to Our Laws and Acts of Parliament in that behalf in all time coming. And We will employ indifferently all our Subjects of all Perswasions, so as none shall meet with any Discouragement on the account of his Religion, but be advanced, and esteemed by Us, according to their several Capacities and Qualifications, so long as We find Charity and Unity maintained. And if any Animositities shall arise, as

We hope in God there will not. We will set the severest Effects of Our Royal Displeasure against the Beginners or Fomenters thereof, seeing thereby Our Subjects may be deprived of this general Ease and Satisfaction. We intend to all of them, whose Happiness, Prosperity, Wealth and Safety, is so much Our Royal Care, that we will leave nothing undone which may procure these Blessings for them. And lastly, to the End all Our good Subjects may have Notice of this Our Royal Will and Pleasure, We do hereby command, Our Lyon King at Arms, and his Brethren Heraulds, Maces, Pursevants and Messengers at Arms, to make timous Proclamation thereof at the Mercat-Cross of *Edinburgh*; And besides the printing and publishing of this Our Royal Proclamation, it is Our express Will and Pleasure, that the same be past under the great Seal of that Our Kingdom *per saltum*, \* without passing any other Seal or Register. In Order whereunto, this shall be to the Directors of Our Chancellery, and their Deputies for writing the same, and to Our Chancellor for causing our great Seal aforesaid, to be appended thereunto, a sufficient Warrant.

*Given at Our Court at Whitehall the twelfth day of Febr. 1686. and of Our Reign the third Year.*

By His Majesties Command

MELFORT.

God save the King.





A LETTER, containing some Reflections on His Majesties Declaration for Liberty of Conscience, Dated the Fourth of April, 1687.

SIR,

I Thank you for the Favour of sending me the late Declaration that His Majesty has granted for Liberty of Conscience. I confess, I longed for it with great Impatience, and was surpris'd to find it so different from the Scotch Pattern; for I imagined, that it was to be set to the second part of the same tune: nor can I see why the Penners of this have sunk so much in their stile; for I suppose the same men penned both. I expected to have seen the Imperial Language of Absolute Power, to which all the Subjects are to Obey without reserve; and of the Cassing, Annulling, the stopping, and disabling of Laws set forth in the Preamble and body of this Declaration; whereas those dreadful words are not to be found here: for instead of Repealing the Laws, His Majesty pretends by this only to Suspend them; and tho in effect this amounts to a Repeal, yet it must be confessed that the words are softer. Now since the Absolute Power, to which His Majesty pretends in Scotland, is not founded on such poor things as Law; for that would look as if it were the gift of the People; but on the Divine Authority, which is supposed to be delegated to His Majesty, this may be as well claimed in England as it was in Scotland: and the pretensions to Absolute Power is so great a thing, that since

His Majesty thought fit once to claim it, he is little beholding to those that make him fall so much in his Language; especially since both these Declarations have appeared in our Gazettes; so that as we see what is done in Scotland, we know from hence what is in some peoples hearts, and what we may expect in England.

II. His Majesty tells his people, that the perfect Enjoyment of their Property has never been in any Case invaded by him since his coming to the Crown. This is indeed matter of great Incouragement to all good Subjects; [for it lets them see, that such Invasions, as have been made on Property, have been done without His Majesties knowledge: so that no doubt the continuing to levy the Customs and the Additional Excise (which had been granted only during the late Kings Life,) before the Parliament could meet to renew the Grant, was done without His Majesties knowledge; the many Violences committed not only by Soldiers, but Officers, in all the Parts of England, which are severe Invasions on Property, have been all without His Majesties knowledge; and since the first Branch of Property is the Right that a man has to his Life, the strange Essay of Mahometan Government, that was shewed at Taunton; and the no less strange proceedings of the present

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Lord Chancellour, in his Circuit after the Rebellion (which are very justly called His Campagne; for it was an open Act of Hostility to all Law) and for which and other Services of the like nature, it is believed he has had the reward of the Great Seal, and the Executions of those who have left their Colours, which being founded on no Law, are no other than so many Murders; all these, I say, are as we are sure, Invasions on Property; but since the King tells us, that no such Invasions have been made since he came to the Crown, we must conclude that all these things have fallen out without His Privity. And if a standing Army, in time of Peace, has been ever lookt on by this Nation as an Attempt upon the whole Property of the Nation in gross, one must conclude, that even this is done without His Majesties knowledge.

III. His Majesty expresses his Charity for us in a kind wish, that we were all Members of the Catholick Church; in return to which we offer up daily our most earnest Prayers for him, that he may become a Member of the truly Catholick Church: for Wishes and Prayers do no hurt on no side: but His Majesty adds, that it has ever been his Opinion, that Conscience ought not to be constrained, nor people forced in matters of meer Religion. We are very happy if this continues to be always his sense: but we are sure in this he is no Obedient Member of that which he means by the Catholick Church: for it has over and over again

decreed the Extirpation of Heriticks. It encourages Princes to it, by the Offer of the Pardon of their Sins; it threatens them to it, by denouncing to them not only the judgments of God; but that which is more sensible, the loss of their Dominions: and it seems they intend to make us know that part of their Doctrine even before we come to feel it, since tho some of that Communion would take away the Horror which the Fourth Council of the Lateran gives us, in which these things were decreed, by denying it to be a General Council, and rejecting the Authority of those Canons, yet the most learned of all the Apostates that has fallen to them from our Church, has so lately given up this Plea, and has so formally acknowledged the Authority of that Council, and of its Canons, that it seems they think they are bound to this piece of fair dealing, of warning us before hand of our Danger. It is true Bellarmine says, "The Church does not always execute her Power of deposing Heretical Princes, tho she always retains it: one reason that he assigns, is, "Because she is not at all times able to put it in execution: so the same reason may perhaps make it appear unadvisable to Extirpate Heriticks, because that at present it cannot be done; but the Right remains intire, and is put in execution in such an unrelenting manner in all places where that Religion prevails, that it has a very ill Grace, to see any Member of that Church speak in this strain: and when neither the Policy of France, nor the

Greatness

Greatness of their Monarch, nor yet the Interests of the Emperor joyned to the Gentleness of his own temper, could withstand these Bloody Councils, that are indeed parts of that Religion, we can see no reason to induce us to believe, that a Toleration of Religion is proposed with any other design but either to divide us, or to lay us asleep till it is time to give the Alarm for destroying us.

IV. If all the Endeavours, that have been used in the last four Reigns, for bringing the Subjects of this Kingdom to a Unity in Religion have been ineffectual, as His Majesty says; we know to whom we owe both the first beginnings and the progress of the Divisions among our selves; the gentleness of *Q. Elizabeth's* Government, and the numbers of those that adhered to the Church of *Rome*, made it scarce possible to put an end to that Party during her Reign, which has been ever since restless, and has had Credit enough at Court during the three last Reigns, not only to support it self, but to distract us, and to divert us from apprehending the danger of being swallowed up by them, by fomenting our own Differences, and by setting on either a Toleration, or a Persecution, as it has happened to serve their Interests. It is not so very long since, that nothing was to be heard at Court but the supporting the Church of *England*, and the Extirpating all the Nonconformists; and it were easie to name the persons, if it were decent, that had this in their Mouths; but now all is

turned round again, the Church of *England* is in Disgrace; and now the Encouragement of Trade, the Quiet of the Nation, and the Freedom of Conscience are again in Vogue, that were such odious things but a few Years ago, that the very mentioning them was enough to load any man with Suspicions as backward in the King's Service, while such Methods are used, and the Government is as in an *Ague*, divided between hot and cold fits, no wonder if Laws so unsteadily executed have failed of their effect.

V. There is a good reserve here left for Severity, when the proper Opportunity to set it on presents it self: for his Majesty declares himself only against the forcing of men in matters of meer Religion: so that whensoever Religion and Policy come to be so interwoven, that meer Religion is not the Case, and that publick Safety may be pretended, then this Declaration is to be none claimed: so that the fastning any thing upon the Protestant Religion, that is inconsistent with the publick Peace, will be pretended to shew that they are not persecuted for meer Religion. In *France*, when it was resolved to extirpate the Protestants, all the Discourses that were written on that Subject were full of the Wars occasioned by those of the Religion in the last Age, tho as these was the happy Occasions of bringing the House of *Bourbon* to the Crown, they had been ended above 80 Years ago, and there had not been so much

as the least Tumult raised by them these 50 Years past : so that the French who have smirled under this Severity, could not be charged with the least Infraction of the Law : yet Stories of a huddled years old were raised up to inspire into the King those Apprehensions of them, which have produced the terrible effects that are visible to all the World. There is another Expression in this Declaration, which lets us likewise see with what Caution the Offers of Favour are now worded, that so there may be an Occasion given when the Time and Conjuncture shall be favourable to break through them all : it is in these words, So that they take especial Care that nothing be preached or taught amongst them, which may any ways tend to alienate the Hearts of our people from us or our Government. This in it self is very reasonable; and could admit of no Exception, if we had not to do with a set of men, who to our great Misfortune have so much Credit with His Majesty, and who will be no sooner lodged in the Power to which they pretend, then they will make every thing that is preached against Popery pass for that which may in some manner alienate the Subjects from the King.

VI. His Majesty makes no doubt of the Concurrence of his Two Houses of Parliament, when he shall think it convenient for them to meet. The Hearts of Kings are unsearchable, so that it is a little too presumptuous to look into His majesties secret Thoughts; but according to the Judgments that

we would make of other mens Thoughts by their Actions, one would be tempted to think, that his Majesty made some doubt of it, since his Affairs both at home and abroad could not go the worse, if it appeared that there were a perfect understanding between Him and his Parliament, and that his people were supporting him with fresh Supplies; and this House of Commons is so much at his Devotion, that all the World saw how ready they were to grant every thing that he could desire of them, till he began to lay off the Mask with relation to the Test, and since that time the frequent Prorogations, the Closetting, and the pains that has been taken to gain Members, by Promises made to some, and the Disgraces of others, would make one a little Inclined to think, that some doubt was made of their Concurrence. But we must confess, that the depth of His Majesties Judgment is such, that we cannot fathom it, and therefore we cannot guess what his Doubts or his Assurances are. It is true, the words that come after unridle the Mystery a little, which are, when His Majesty shall think it convenient for them to mett : for the meaning of this seems plain, that His Majesty is resolved that they shall never meet, till he receives such Assurances, in a new round of Closetting that he shall be put out of doubt concerning it.

VII. I will not enter into the dispute concerning Liberty of Conscience, and the Reasons that may be offered for it to a Session of Parliament; for there is scarce

scarce any one point, that either with relation to Religion, or Politicks, affords a greater variety of matter for Reflection: and I make no doubt to say, that there is abundance of Reason to oblige Parliament to review all the *nal Laws*, either with relation to Papists; or to Dissenters: but I will take the boldness to add one thing, that the Kings Suspending of Laws strikes at the root of this whole Government, and subverts it quite: for if there is any thing certain with relation to English Government, it is this, that the Executive Power of the Law is entirely in the King; and the Law to fortifie him in the Management of it has clothed him with a vast Prerogative, and made it unlawful on any pretence whatsoever to resist him: whereas on the other hand, the *Legislative Power* is not so entirely in the King, but that the Lords and Commons have such a share in it, that no Law can be either made, repealed, or which is all one suspended, but by their consent: So that the placing this *Legislative Power* singly in the King, is a subversion of this whole Government, since the Essence of all Governments consists in the Subjects of the Legislative Authority, Acts of Violence or Injustice, committed in the Executive part, are such things that all Princes being subject to them, the peace of mankind were very ill secured if it were not unlawful to resist upon any pretence taken from any ill Administrations, in which as the Law may be doubtful, so the Facts may be uncertain, and at worst the publick Peace

must always be more valued than any private Oppressions or Injuries whatsoever. But the total Subversion of a Government, being so contrary to the Trust that is given to the Prince who ought to execute it, will put men upon uneasie and dangerous Inquiries: which will turn little to the Advantage of those who are driving matters to such a doubtful and desperate issue.

VIII. If there is any thing in which the Exercise of the *Legislative Power* seems indispensable, it is in those Oaths of Allegiance and Tests, that are thought necessary to Qualifie men either to be admitted to enjoy the Protection of the Law, or to bear a share in the Government; for in these the Security of the Government is chiefly concerned; and therefore the total Extinction of these, as it is not only a Suspension of them, but a plain repealing of them, so it is a Subverting of the whole Foundation of our Government: For the Regulation that King and Parliament had set both for the Subjects having the Protection of the State by the Oath of Allegiance, and for a share in the places of Trust by the Tests, is now pluckt up by the roots; when it is declared, That these shall not at any time hereafter be required to be taken or subscribed by any persons whatsoever: for it is plain, that this is no Suspension of the Law, but a formal repeal of it, in as plain Words as can be conceived.

IX. His Majesty says, that the Benefit of the Service of all his Subjects is by the Law of Nature Inseparably annexed to and inherent in his Sacred Person. It is somewhat strange, that when so many Laws, that we all know are suspended, the Law of Nature, which is so hard to be found out, should be cited; but the Penner of this Declaration had best let that Law lie forgotten among the rest; and there is a scurvy Paragraph in it concerning self-Preservation, that is capable of very unacceptable Glosses. It is hard to tell what Section of the Law of Nature has markt either such a Form of Government, or such a Family for it. And if His Majesty renounces his Pretensions to our Allegiance as founded on the Laws of *England*; and betakes himself to this Law of Nature, he will perhaps find the Counsel was a little too rash; but to make the most that can be, the Law of Nations or Nature does indeed allow the Governors of all Societies a Power to serve themselves of every Member of it in the cases of Extream Danger; but no Law of Nature that has been yet heard of will conclude, that if by special Laws, a sort of men have been disabled from all Employments, that a Prince who at his Coronation Swore to maintain those Laws, may at his pleasure extinguish all these Disabilities.

X. At the end of the Declaration, as in a Postscript, His Majesty assures his Subjects, that he will maintain them in their Properties, as well

in Church and Abbey Lands, as other Lands: but the chief of all their Properties being the share that they have by their Representatives in the *Legislative Power*; this Declaration, which breaks thro that, is no great Evidence that the rest will be maintained: and to speak plainly, when a Coronation Oath is so little remembered, other Promises must have a proportioned degree of Credit given to them: as for the Abbey Lands, the keeping them from the Church is according to the Principles of that Religion Sacrilege; and that is a mortal Sin, and there can no *Abolution* be given to any who continue in it: and so this Promise being an Obligation to maintain men in a mortal Sin, is null and void of it self: *Church Lands* are also according to the Doctrine of their Canonists, so immediately Gods Right, that the Pope himself is the only Administrator and Dispencer, but is not the Master of them; he can indeed make a truck for God, or let them so low, that God shall be an easie Landlord: but he cannot alter God's Property, nor translate the Right that is in him to Sacrilegious Laymen and Hereticks.

XI. One of the Effects of this Declaration, will be the setting on foot a new run of Adresses over the Nation; for there is nothing how impudent and base soever, of which the abject flattery of a slavish Spirit is not capable. It must be confest, to the Reproach of the Age, that all those strains of

of flattery among the Romans, that *Tacitus* sets forth with so much just Scorn, are modest things, compared to what this Nation has produced within these seven Years: only if our Flattery has come short of the Refinement of the Romans, it has exceeded theirs as much in its loathed Fulsonne's: The late King set out a Declaration, in which he gave the most solemn Assurances possible of his adhering to the Church of *England*, and to the Religion established by Law, and of his Resolution to have frequent Parliaments; upon which the whole Nation fell as it were into Raptures of Joy and Flattery: but tho he lived four Years after that, he called no Parliaments, notwithstanding the Law for Triennial Parliaments: and the manner of his Death, and the Papers printed after his Death in his Name, having sufficiently shewed, that he was equally sincere in both those Assurances that he gave, as well in that relating to Religion, as in that other relating to frequent Parliaments; yet upon his Death a new set of Addresses appeared, in which all that Flattery could invent was brought forth, in the Commendations of a Prince, to whose Memory the greatest kindness can be done, is to forget him and because his present Majesty upon his coming to the Throne gave some very general Promise of maintaining the Church of *England*, this was magnified in so Extravagant a strain, as if it had been a Secularity greater than any that the Law could give: tho by the regard that the King has both to it: and to

the Laws, it appears that he is resolved to maintain both equally: since then the Nation has already made it self sufficiently ridiculous both to the present and to all succeeding Ages; it is time that at last men should grow weary, and become ashamed of their Folly.

XII. The *Nonconformists* are now invited to set an Example to the rest: and they who have valued themselves hitherto upon their Opposition to Popery, and that have quarrelled with the Church of *England*, for some small Approaches to it, in a few Ceremonies, are now solicited to rejoyce, because the Laws that secure us against it, are all plucked up: since they enjoy at present and during pleasure leave to meet together. It is natural for all men to love to be set at ease, especially in the matter, of their Consciences; but it is visible, that those who allow them this favour, do it with no other design, but that under a pretence of a General Toleration, they may introduce a Religion which must persecute all equally: it is likewise apparent how much they are hated, and how much they have been persecuted by the instigation of those who now Court them, and who have now no game that is more promising, than the engaging them and the Church of *England* into new Quarrels: and as for the Promises now made to them, it cannot be supposed that they will be more lasting than those that were made some time ago to the Church of *England*,



Law, who had both a better Title in Law and greater Merit upon the Crown to assure them that they should be well used than these can pretend to. The Nation has scarce forgiven some of the Church of *England* the Persecution into which they have suffered themselves to be cosened; tho now that they see Popery barefaced, the Stand that they have made, and the vigorous Opposition that they have given to it, is that which makes all men willing to forget what is past, and raises again the Glory of a Church that was not a little stained by the Indiscretion and Weakness of those, that were too apt to believe and hope, and so suffered themselves to be made a Property to those who would make them a Sacrifice. The Sufferings of the *Nonconformists*, and the Fury that the Popish party expressed against them, had recommended them so much to the Compassions of the Nation, and had given them so just a pretension to favour in a better time; that it will look like a Curse of God upon them, if a few men, whom the Court has gained, to betray them, can have such an ill Influence upon them as to make them throw away all that Merit, and those Compassions which their Sufferings have procured them; and to go and court those who are only seemingly kind to them, that they may destroy both them and us. They must remember that as the Church of *England* is the only Establishment that our Religion has by Law; so it is the main body of the Nation, and all the Sects are but small and stragling par-

ties: and if the Legal Settlement of the Church is dissolved, and that body is once broken, these lesser bodies will be all at Mercy: and it is an easy thing to define what the Mercies of those Churches of *Rome* are,

XIII. But tho it must be confessed, that the *Nonconformists* are still under some Temptations, to receive every thing that gives them present ease, with a little too much kindness; since they lie exposed to many severe Laws, of which they have of late felt the weight very heavily, and as they are men, and some of them as ill Naturesd men as other people, so it is no wonder if upon the first surprises of the Declaration, they are a little delighted, to see the Church of *England*, after all its Services and Submissions to the Court, so much mortified by it; so that taking all together it will not be strange if they commit some Follies upon this occasion. Yet on the other hand it passes all imagination, to see some of the Church of *England*, especially those whose Natures we know are so particularly sharpened in the point of Persecution, chiefly when it is levelled against the Dissenters, rejoyce at this Declaration, and make Addresses upon it. It is hard to think that they have attained to so high a pitch of Christian Charity, as to thank those who do now *Despirefully use them*, and that as an earnest that within a little while they will *Persecute* them. This will be an Original, and a Master-piece in Flattery, which must

needs



needs draw the last degrees of Contemtion such as are capable of so abject and sordid a Compliance, and that not only from all the true Members of the Church of *England*, but likewise from those of the Church of *Rome* it self; for every man is apt to esteem an Enemy that is brave even in his Misfortunes, as much as he despises those whose minds sink with their Condition; for what is it that these men would the King? Is it because he breaks those Laws that are made in their Favour; and for their Protection: and is now striking at the Root of all Legal Settlement that they have for their Religion? Or is it because that at the same time that the King professes a Religion that condemns his Supremacy, yet he is not contented with the Exercise of it as it is warranted by Law, but carries it so far as to erect a Court contrary to the express words of a Law so lately made: That Court takes care to maintain a due Proportion between their Constitution and all their Proceedings, that so all may be of a piece, and all equally contrary to Law. They have suspended one Bishop, only because he would not do that which was not in his power to do: for since there is no Extrajudiciary Authority in *England*, a Bishop can no more proceed to a Sentence of Suspension against a Clergyman without a Tryal, and the hearing of Parties, than a Judge can give a Sentence in his Chamber without an Indictment, a Tryal, or a Jury, and because one of the greatest bodies of *England* would not break their Oaths,

and obey a Mandate that plainly contradicted them; we see to what a pitch this is like to be carried. I will not anticipate upon this illegal Court, to tell what Judgments are coming; but without carrying our Jealousies too far, one may safely conclude, that they will never depart so far from their first Institution, as to have any regard, either to our Religion, or our Laws, or Liberties, in any thing they do. If all this were acted by a owed Papists, as we are sure it is projected by such, there were nothing extraordinary in it: but that which carries our Indignation a little too far to be easily governed, is to see some pretended Protestants, and a few Bishops, among those that are the fatal Instruments of pulling down the Church of *England* and that those Mercenaries Sacrifice their Religion and their Church to their Ambition and Interests; this has such peculiar Characters of Misfortune upon it, that it seems it is not enough if we perish without pity, since we fall by that hand that we have so much supported and fortified, but we must become the Scorn of all the world, since we have produced such an unnatural Brood, that even while they are pretending to be the Sons of the Church of *England*, are cutting their Mothers Throat: and not content with *Judas's* Crime, of saying, *Hail Master*, and kissing him, while they are betraying him into the hands of others; these carry their Wickedness farther, and say, *Hail Mother*, and then they themselves murder her. If after all this we

were called on to bear this as Christians, and to suffer it as Subjects, If we were required in Patience to possess our own Souls, and to be in Charity with our Enemies; and which is more, to forgive our False Brethren who add Treachery to their Hatred; the Exhortation were seasonable, and indeed a little necessary: for humane Nature cannot easily take down things of such a hard digestion: but to tell us that we must make Addresses, and offer Thanks for all this, is to insult a little too much upon us in our Sufferings; and he that can believe that a dry and cautiously worded Promise of maintaining the Church of England, will be religiously observed after all that we have seen, and is upon that carried so far out of his Wits as to Address and give Thanks, and will believe still, such a man has nothing to ex-

cuse him from believing Transubstantiation itself; for it is plain that he can bring himself to believe even when the thing is contrary to the clearest Evidence that his senses can give him.

*Si populus hic vult decipi decipiat.*

#### P O S T S C R I P T.

**T**He *Reflections* were writ soon after the Declaration came to my hands, but the Matter of them was so tender, and the Conveyance of them to the Press was so uneasy, that they appear now too late to have one effect that was Designed by them, which was, the diverting men from making Addresses upon it; yet if what is here proposed makes men become so far wise as to be ashamed of what they have done, and is a means to keep them from carrying their Courtship further than good words, this Paper will not come too late.

An Answer to a Paper, Printed with Allowance; Entitled, *A New  
Test of the Church of Englands Loyalty.*

I. **T**HE Accusing the Church of England of want of Loyalty, or the putting it to a new Test, after so fresh a one, with relation to His Majesty, argues a high degree of Confidence in him who undertakes it. She knew well what were the Doctrines and Practices of those of the Roman Church, with Relation to Hereticks; and yet She was so true to her Loyalty, that She shut her Eyes on all the Temptations that so just a fear could raise in her; and She set her self to support His Majesties Right of Succession, with so much Zeal, that She thereby not only put her self in the power of her Enemies; but She has also Exposed her Self to the Scorn of those who insult over her Misfortune. She lost the Affections even of many of her own Children; who thought that her Zeal for an Interest, which was then so much decry'd, was a little too fervent: and all those who judged severely of the proceedings, thought that the Opposition which She made to the side that then went so high, had more Heat than Decency in it. And indeed all this was so very Extraordinary, that if She was not acted by a principle of Conscience, She could make no Excuse for her Conduct. There

appeared such peculiar Marks of Affection and Heartiness, at every time that the Duke was named, whether in Drinking his Health, or upon graver Occasions, that it seemed affected: and when the late King himself ( whose Word they took that he was a Protestant ) was spoke of but coldly, the very Name of the Duke set her Children all on fire: this made many conclude, that they were ready to sacrifice all to him; for indeed their Behaviour was inflamed with so much Heat, that the greater part of the Nation believed they waited for a fit opportunity to declare themselves. Faith in Jesus Christ was not a more frequent Subject of the Sermons of many, than Loyalty; and the Right of the Succession to the Crown, the Heat that appeared in the Pulpit, and the Learning that was in their Books on these Subjects, and the Eloquent Strains that were in their Addresses, were all Originals, and made the World conclude, That whatever might be laid to their Charge, they should never be accused of any want of Loyalty, at least in this King's time, while the remembrance of so signal a service was so fresh. When His Majesty came to the Crown, these men did so entirely depend

depend on the Promise that he made, to maintain the Church of England, that the doubting of the performance appeared to them the worst sort of Infidelity. They believed, that in His Majesty, the *Piero*, and the King, would be too strong for the *Papists*, and when any one told them, *How weak a tie the Faith of a Catholick to Hereticks must needs be*, they could not hearken to this with any patience: but looked on his Majesty's Promise as a thing so Sacred, that they employ'd their interest to carry all Elections of *Parliament-Men*, for those that were recommended by the Court, with so much Vigour, that it laid them open to much Censure. In *Parliament* they moved for no *Laws* to secure their Religion; but assuring themselves, that Honour was the Kings Idol, they laid hold on it, and fancied, that a publick reliance on his Word, would give them an Interest in his Majesty, that was Generous, and more suteable to the Nobleness of a Princely Nature than any new *Laws* could be: so that they acquiesced in it, and gave the King a vast Revenue for Life: In the Rebellion that followed, they shewed with what Zeal they adhered to his Majesty, even against a Pretender that declared for them. And in the Session of *Parliament*, which came after that, they shewed their disposition to assist the King with new Supplies, and were willing to Excuse and indemnify all that was past; only they desired with all possible Modesty, that the *Laws* which His Majesty had both promised, and at his Coronation had Sworn

to maintain, might be Executed. Here is their Crime, which has raised all this Out-cry; They did not move for the Execution of severe and penal *Laws*, but were willing to let those sleep, till it might appear by the Behaviour of the *Papists*, whether they might deserve that there should be any Mitigation made of them in their Favour. Since that time, our *Church-men* have have been constant in mixing their Zeal for their Religion against Popery, with a Zeal for Loyalty against Rebellion, because they think these two are very well consistent one with another. It is true, they have generally expressed an unwillingness to part with the two Tests; because they have no mind to trust the keeping of their Throats to those who they believe will cut them, and they have seen nothing in the conduct of the *Papists*, either within or without the Kingdom, to make them grow weary of the *Laws* for their sakes, and the same principle of common sense, which make it so hard for them to believe Transubstantiation, makes them conclude that the Author of this Paper, and his Friends, are no other, than what they hear, and see, and know them to be.

II. One instance in which the Church of England shewed her Submission to the Court, was, that as soon as the *Nonconformists* had drawn a new Storm upon themselves, by their meddling in the matter of Exclusion, many of her Zealous Members went into that Prosecution of them, which the Court set

on foot, with more Heat, than was perhaps justifiable in it self, or reasonable in those Circumstances; but how censurable soever some angry men may be, it is somewhat strange to see those of the Church of *Rome* blame us for it, which has decreed some unrelenting Severities against all that differ from her, and has enacted that not only in Parliaments but even in General *Councils*. It must needs sound oddly to hear the Sons of a Church, that must destroy all others as soon as it can compass it, yet complain of the Excesses of Fines and Imprisonments, that have been of late among us. But if this Reproach seems a little strange when it is in the Mouth of a Papist, it is much more provoking, when it comes from any of the Court. Were not all the Orders and the late Severity sent from thence? Did not the Judges in every Circuit, and the Favourite Justices of Peace in every Sessions; employ all their Eloquence on this Subject? The Directions that were given to the Justices and the *Grand Juries* were all repeated Aggravations of this Matter: and a little *Ordinary Lawyer*, without any other *Visible Merit*, but an *Outragious Fury* in those Matters, on which he has chiefly valued himself, was of a sudden taken in his *Majesties* special Favour, and raised up to the *Highest Posts* of the Law. All these things, led some of our Obedient Clergy, to look on it as a piece of their Duty to the King, to encourage that Severity, of which the Court seemed so fond, that

almost all people thought, they had set it up for a *Maxime*, from which they would never depart: I will not pretend to excuse all that has been done of late Years; but it is certain, that the most crying Severities have been acted by persons that were raised up to be Judges and Magistrates for that very end: they were Instructed, Truſted and Rewarded for it, both in the last and under the present Reign, *Church-preferments were distinguished* rather as *Recompences* of this devouring Zeal, than of a real Merit; and men of more moderate Tempers were not only ill looked at, but ill used. So that it is in it self very unreasonable to throw the load of the late Rigour on the Church of *England*, without distinction: but it is worse than in good manners it is fit to call it, if this Reproach comes from the Court. And it is somewhat unbecoming to see that, which was set on at one time, disowned at another; while yet he that was the chief Instrument in it is still in so high a post; and begins now to treat the men of the Church of *England*, with the same Brutal Excesses, that he bestowed so lately and so liberally on the *Dissenters*; as if his design were to render himself equally odious to all Mankind.

III. The Church of *England* may justly expostulate when she is treated as Seditious; after she has rendered the highest Services to the *Civil Authority*, that any Church now on Earth has done, She has beaten down all the Principles of Rebellion, with more Force and Learning than any Body of men has yet done.

done; and has run the hazard of Enraging her Enemies, and losing her Friends, even for those, from whom the more learned of her Members knew well what they might expect. And since our Author likes the figure of a Snake in ones Bosom so well; I could tell him, that according to the Apologue, we took up and sheltered an Interest, that was almost Dead, and by that warmth gave it Life, which yet now with the Snake in the Bosom, is like to bite us to Death. We do not say, that we are the only Church that has the Principles of Loyalty, but this we may say, that we are the Church in the World that carries them the *biggest*; as we know a Church that of all others sinks them the lowest. We do not pretend that we are laerrable in this Point, but acknowledge that some of our Clergy miscarried in it upon King Edwards Death: Yet at the same time others of our Communion adhered more stedily to their Loyalty in favour of Q. Mary, that She did to the Promises that She made to them. Upon this Subject our Author by his false Quotation of History, forces me to set the Reader right, which if it proves to the Disadvantage of his Cause, his Friends may thank him for it. I will not enter into so tedious a Digression, as the justifying Queen Elizabeths being Legitimate; and the throwing the Bastardy on Queen Mary must carry me to; this I will only say, what it was made out, that according to the best sort of Arguments, used by the Church of Rome; I mean the constant Tradition of all Ages, King Henry the

Eighth marrying with Queen Catherine, was Incestuous, and by consequence Q. Mary was the Bastard, and Queen Elizabeth was the Legitimate Issue. But our Author not satisfied with defaming Queen Elizabeth; tells us, that the Church of England was no sooner set up by her, than She Enacted those Bloody Cannibal Laws, to Hang, Draw and Quarter the Priests of the Living God: But since these Laws disturb him so much, what does he think of the Laws of Burning the poor Servants of the Living God, because they cannot give Divine Wership to that which they believe to be only a Piece of Bread? The Representation he gives of this part of our History, is so false, that tho upon Q. Elizabeths coming to the Crown, there were many Complaints exhibited of the illegal Violences that Bonner and other Butchers had committed, yet all these were stifled, and no Penal Laws were Enacted against those of that Religion. The popish Clergy were indeed turned out; but they were well used, and had Pensions assigned them; so ready was the Queen and our Church to forgive what was past, and to shew all Gentleness for the future. During the first thirteen Years of her Reign, matter went on calmly, without any sort of Severity on the account of Religion. But then the restless spirit of that Party, began to throw the Nation into violent Convulsions. The Pope deposed the Queen, and one of the Party had the Impudence to post up the Bull in London; upon this followed several Rebellions, both in England and Ireland,



*Ireland*, and the Papists of both Kingdoms entred into Confederacies with the King of *Spain* and the Court of *Rome* the Priests disposed all the people that depended on them, to submit to the Popes Authority in that Disposition, and to reject the *Queens*; These endeavours, besides open Rebellion, produced many Secret Practices against her Life. All these things gave the rise to the severe Laws, which began not to be enacted before the twentieth year of her reign. A War was formed by the Bull of Deposition, between the *Queen* and the Court of *Rome*, so it was a necessary Piece of Precaution, to declare all those to be Traitors who were the Missionaries of that Authority which had stript the *Queen* of hers: yet those Laws were not executed upon some Secular Priests who had the Honesty to condemn the Deposing Doctrine. As for the unhappy Death of the *Queen* of *Scotland*, it was brought on by the wicked Practices of her own Party, who fatally involved her in some of them; She was but a Subject here in *England*; and if the *Queen* took a more Violent way, than was decent for her own Security, here was no Disloyalty nor Rebellion in the Church of *England*, which owed her no sort of Allegiance.

IV. I do not pretend that the Church of *England* has any great cause to value her self upon her Fidelity to King Charles the First, tho' our Author would have it pass for the only thing of which She can boast: for I confess, the cause of the Church was so twitted with

the King's, that Interest and Duty went together: tho' I will not go so far as our Author, who says, that the Laws of Nature dictates to every Individual to fight in his own Defence: This is too bold a thing to be delivered so crudely at this time. The Laws of Nature are perpetual, can never be cancelled by any special Law: So if these Gentlemen own so freely, that this is a Law of Nature, they had best take care not to provoke Nature too much, lest She fly to the Relief that this Law may give her, unless she is restrained by the Loyalty of our Church. Our Author values his Party much upon their Loyalty to King Charles the first: but I must take the Liberty to ask him of what Religion were the *Irish Rebels*; and what sort of Loyalty was it, that they shewed either in the first Massacre, or in the progress of that Rebellion? Their Messages to the Pope, to the Court of *France*, and to the Duke of *Lorrain*, offering themselves to any of these, that would have undertaken to protect them, are acts of Loyalty which the Church of *England* is no ways inclined to follow: and the Authentick Proofs of these things are ready to be produced. Nor need I add to this, the hard terms that they offered to the King, and their ill usage of those whom he employed. I could likewise repress the Insolence of this Writer, by telling him of the Slavish Submissions that their Party made to *Cromwel*, both Father and son. As for their Adhering to King Charles the first, there is a peculiar Boldness in our Authors Assertion,

on, who says, that they had no Hope nor Interest in that Cause: The State of that *Court* is not so quite forgot, but that we do well remember what Credit the Queen had with the King, and what Hopes She gave the Party; yet they did not so entirely espouse the Kings Cause, but that they had likewise a flying Squadron in the Parliaments Army, how boldly soever this may be denyed by our Author, for this I will give him a proof, that is beyond exception, in a Declaration of that Kings, sent to the Kingdom of Scotland, baring date the 21 of April 1643. which is printed over and over again, and as an Author that writes the History of the late Wars, had assured us the clean draught of it, corrected in some places with the King's own Hand, is yet extant: so that it cannot be pretended, that this was only a bold Assertion of some of the Kings Ministers, that might be ill affected to their Party. In that Declaration the King studied to possess his Subjects of Scotland with the Justice of his Cause, and among other things, to clear himself of that Imputation that he had an Army of *Papists* about him, after many things said on that head, these words are added: "Great numbers of that Religion have been with great Alacrity entertained in that rebellious Army against us: and others have been seduced, to whom we had formerly denyed Employments; as appears by the Examination of many Prisoners, of whom we have taken twenty and thirty at a time of one Troop or Company of that Religion.

I hope our Author will not have the Impudence to dispute the Credit that is due to this Testimony: but no Discoveries, how evident soever they may be, can affect some sort of men; that have a Secret against blushing.

V. Our Author exhorts us, to charge our Principles of Loyalty, and to take Example of our *Catholick Neighbours*, how to behave our selves towards a Prince, that is not of our Perswasion: But would he have us learn of our *Irish Neighbours*, to cut our Fellow Subjects Throats; and rebel against our King, because he is of another Religion? for that is the freshest Example that any of our Catholick Neighbours have set us: and therefore I do not look so far back, as to the *Gunpowder-plot*, or the League of France in the last Age. He reproaches us for failing in our Fidelity to our King. But in this matter we appeal to God, Angels and Men; and in particular to His Majesty: Let our Enemies shew any one Point of our Duty, in which we have failed: for as we cannot be charged for having preached any Seditious Doctrine, so we are not wanting in the Preaching of the Duties of Loyalty, even when we see what they are like to cost us. The Point which he singles out is, That we have failed in that grateful Return, that we owed his Majesty for his Promise, of Maintaining our Church as it is Established by Law; since upon that we ought to have repealed the Sanguinary Laws, and the late impious Tests: the former being enacted to maintain the U-

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of usurpation of Queen Elizabeth; and the other being contrived to exclude the present King. We have not failed to pay all the Gratitude and Duty that was possible, in return to His Majesties Promise; which we have carried so far, that we are become the Object even of our Enemies Scorn by it. With all Humility be it said, that if His Majesty had promised us a farther Degree of His Favour, than that of which the Law had assured us, it might have been expected, that our return should have a degree of Obedience beyond that which was required by Law; so that the return of the Obedience enjoined by Law, answers a Promise of a protection according to Law: yet we carried this matter farther; for as was set forth in the beginning of this paper, we went on in so high a pace of Compliance and Confidence, that we drew the censurers of the whole Nation on us; nor could any Jealousies or Fears give us the least Apprehensions, tell we were so hard pressed in matters of Religion, that we could be no longer silent; The same Apostle that taught us to Honour the King, said likewise, that we must obey God rather than man. Our Author knows the History of our Laws ill; for besides what has been already said, touching the Laws made by Queen Elizabeth, the severest of our Penall Laws, and that which troubles him and his friends most, was past by King James after the Gunpowder-plot; a provocation but might have well justified even greater Severities. But tho our Author may hope to im-

pose on an Ignorant Reader, who may be apt to believe Implicitly, what he says concerning the Laws of the last Age, yet it was too bold for him to assert, that the Tests, which are so lately made, were contrived to exclude the present King: when there was not a thought of Exclusion many Years after the first was made, and the Duke was accepted out of the second by a special *Proviso*. but these Gentlemen will do well never to mention the Exclusion; for every time that it is named, it will make people call to mind, the Service that the Church of England did in that matter, and that will carry with it a Reproach of Ingratitude that needs not be aggravated. He also confounds the two Tests, as if that for publick Employments, contained in it a Declaration of the Kings being an Idolater, or as he makes it, a Pagan; which is not at all in it, but in the order for the Members of Parliament, in which there is indeed a Declaration, that the Church of Rome is guilty of Idolatry; which is done in general terms, without applying it to His Majesty, as our Author does: Upon this he would infer, that his Majesty is not safe till the Tests are taken away: but we have given such Evidences of our Loyalty, that we have plainly shewed this to be false, since we do openly declare, that our Duty to the King is not founded on his being of this or that Religion; so that his Majesty has a full Security from our Principles, tho the Tests continue, since there is no reason that we, who did run the hazard of be-

ingruined by the Excluders, when the Tide was so strong against us, would fail his Majesty now, when our Interest and Duty are joyned together : but if the Tests are taken away, it is certain that we can have no Severity any longer ; for we shall be then laid open to the Violence of such restless and ill-natured men, as the Author of this [Paper] and his Brethren are.

VI. The same reason that made our Saviour refuse to throw himself down from the Roof of the Temple, when the Devil tempted him to it, in the vain Confidence, that Angels must be assistant to him to preserve him, holds good in our Case. Our Saviour said, *Thou shalt not Tempt the Lord thy God.* And we dare not trust our selves to the Faith and to the Mercies of a Society, that is but too well known to the World, to pretend, that we should pull down our Pales, to let in such Wolves among us. God and the Laws hath given us a legal Security, and His Majesty has promised to maintain us in it : and we think it argues no Distrust, either of God, or the Truth of our Religion, to say, that we cannot by any Act of our own, lay our selves open, and throw away that Defence. Nor would we willingly expose his Majesty to the unwearied Solicitations of a sort of men, who, if we may Judge of that which is to come, by that which is past, would give him no rest, if once the Restraints of Law were taken off, but would drive matters to those Extremities, to which

we see their Natures carry them headlong.

VII. The last Paragraph is a strain worthy of that School that bred our Author ; he says, 'His Majesty may withdraw his Royal Protection from the Church of England which was promised her, upon the account of her constant Fidelity, and he brings no other Proof to confirm so bold an Assertion but a false Axiome of that despised Philosophy, in which he was bred : *Cessante causa tollitur Effectus*. This is indeed such an Indignity to His Majesty, that I presume to say it with all humble Reverence, these are the last persons whom he ought to pardon, that have the Boldness to touch so sacred a point as the Faith of a Prince, which is the chief Security of Government, and the Foundation of all the Confidence that a Prince can promise himself from his People, and which, once blasted, can never be recovered : Equivocations may be both taught and practised with less danger by an Order that has little Credit to lose ; but nothing can shake Thrones so much, as such treacherous Maxims. I must also ask our Author, in what point of Fidelity has our Church failed so far, as to make her forfeit her Title to His Majesties Promises ? for as he himself has stated this matter, it comes all to this. The King promised that he would maintain the Church of England as Established by Law. Upon which in Gratitude he says, that the Church of England

was bound to throw up the Chief Security that she had in her Establishment by Law; which is, that all who are intrusted either with the Legislative or the executive Parts of our Government, must be of her Communion; and if the Church of *England* is not so Tame and so Submissive, as to part with This, then the King is free from his Promise, and may withdraw his Royal Protection; though I must crave leave to tell him, that the Laws gave the Church of *England* a Right to that Protection, whether His Majesty had promised it or not.

Of all the Maxims in the World,

there is none more hurtful to the Government, in our present Circumstances, than the saying, that the Kings Promises and the Peoples Fidelity ought to be Reciprocal; and that a Failure in the one, cuts off the other: for by a very natural consequence the Subject may likewise say, that their Oaths of Allegiance being founded on the Assurance of His Majesties Protection, the One binds no longer than the Other is observed: and the Inferences that may be drawn from hence will be very terrible, if the Loyalty of the so much decry'd Church of *England*, does not put a stop to them.

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A LETTER, containing some Remarks on the Two Papers, writ by His late Majesty King Charles the Second, concerning Religion.

S I R,

**I** Thank you for the two Royal Papers, that you have sent me: I had heard of them before, but now we have them so well attested, that there is no hazard of being deceive by a false Copy: you expect that in return, I should let you know, what Impression they have made upon me. I pay all the reverence that is due to a Crown Head, even in Affes; to which I will never be wanting: far less am I capable of suspecting the Royal Attestation that accompanies them; of the truth of which I take it for granted no man doubts; but I must crave leave to tell you, that I am confident, the late King only copied them, and that they are not of his Composing: for as they have nothing of that free Air, with which he expressed himself; so there is a Contexture in them, that does not look like a Prince; and the beginning of the first shewes it was the effect of a Conversation, and was to be communicated to another: so that I am apt to think they were Composed by another, and were so well relished by the late King, that he thought fit to keep them, in order to his examining them more particularly: and that he was prevailed with to Copy them lest a Paper of that nature might have been made a Crime, if it had been found about him written by another hand: and I could name one or two Persons, who as they were able enough to Compose such Papers, so had power enough over his Spirit to engage him to Copy them, and to put themselves out of danger by restoring the Original.

You ought to address your self to the Learned Divines of our Church, for an

answer to such things in them as puzzle you, and not to one that has not the honour to be of that Body, and that has now carried a Sword for some time, and imployes the leisure that at any time he enjoys, rather in Philosophical and Mathematical Enquiries than in matters of Controversie. There is indeed one Consideration that determined me more easily to comply with your desires, which is, my having had the honour to discourse copiously of those matters with the late King himself: and he having proposed to me some of the particulars that I find in those Papers, and I having said several things to him, in answer to those Heads, which he offered to me only as Objections, with which he seemed fully satisfied, I am the more willing to communicate to you, that which I took the liberty to lay before His late Majesty on several occasions: the particulars on which he insisted in discourse with me, were the "usefulness of a Law without  
"a Judge, and the necessity of an infal-  
"lible Tribunal to determine Controversies to which he added, the many Sects  
"that were in England, which seemed  
"to be a necessary consequence of the  
"Liberty that every one took to interpret the Scriptures: and he often repeated that of the Church of England  
"arguing, from the obligation to obey  
"the Church, against the Sectaries, which  
"he thought was of no force, unless  
"they allowed more Authority to the  
"Church then they seemed willing to  
"admit, in their Disputes with this  
"Church of Rome. But upon the whole Matter I will offer you some Reflections,

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lections, that will, I hope, be of as great weight with you, as they are with my self.

I. All Arguments that prove upon such general Considerations, that there ought to be an Infallible Judge named by Christ, and clothed with his Authority, signify nothing, unless it can be shewed us, in what Texts of Scripture that nomination is to be found; and till that is shewed, they are only Arguments brought to prove that *Christ ought to have done somewhat that he has not done*. So these are in effect so many Arguments against Christ, unless it appears that he has Authorised such a Judge: therefore the right way to end this dispute, is, to shew where such a Constitution is authorised: So that the most that can be made of this is, that it amounts to a favourable presumption.

II. It is a very unreasonable thing for us to form Presumptions, of what is, or ought to be, from Inconveniences that do arise, in case that such things are not: for we may carry this so far, that it will not be easie to stop it. It seems more suitable to the infinite Goodness of God, to communicate the knowledge of himself to all mankind, and to furnish every Man with such assistances as will certainly prevail over him. It seems also reasonable to think, that so perfect a Saviour as Jesus Christ was, should have shewed us a certain Way, and yet consistent with the free Use of our Faculties, of avoiding all sin: nor is it very easy to imagine, that it should be a reproach on his Gospel, if there is not an Infallible Preservative against Error, when it is acknowledged, that there is no infallible Preservative against sin: for it is certain, that the one Damns us more Infalibly, than the other.

III. Since presumptions are so much insisted on, to prove what things must

be appointed by Christ; it is to be considered, that it is also a reasonable Presumption, that if such a Court was appointed by him, it must be done in such plain terms that there can be no room to question the meaning of them: and since this is the hinge upon which all other matters turn, it ought to be expressed so particularly, in whom it is vested, that there should be no occasion given to dispute, whether it is in one Man or in a Body; and if in a Body, whether in the Majority, or in the two thirds, or in the whole Body unanimously agreeing; in short, the Chief thing in all Governments being the Nature and Power of the Judges, those are always distinctly specified; and therefore if these things are not specified in the Scriptures; it is at least a strong Presumption, that Christ did not intend to authorise such Judges.

IV. There were several Controversies raised among the Churches to which the Apostles writ, as appears by the Epistles to the Romans, Corinthians, Galatians and Colossians; yet the Apostles never make use of those passages that are pretended for this Authority to put an end to those Controversies; which is a shrewd Presumption, that they did not understand them in that sense in which the Church of Rome does now take them. Nor does St. Paul in the directions that he gives to Church-men in his Epistles to Timothy and Titus, reason this of submitting to the directions of the Church for one, which he could not have omitted, if this be the true meaning of those disputed passages: and yet he has not one word founding that way, which is very different from the directions which one possessed with the present, view that the Church of Rome has of this matter must needs have given.

V. There are some things very expressly taught in the N. Testament, such

as the rules of a good Life, the Use of the Sacraments, the addressing our selves to God, for Mercy and Grace, thro' the Sacrifice that Christ offered for us on the Cross, and the worshipping him as God, the Death, Resurrection and Ascension of *Jesus Christ*, the Resurrection of our Bodies and Life Everlasting : by which it is apparent, that we are set beyond doubt in those matters ; if then there are other passages more obscure concerning other matters, we must conclude, that ~~that~~ they are not of that Consequence, other wise they would have been as plainly revealed as others are ; but above all, if the Authority of the Church is delivered to us in disputable terms, that is a just prejudice against it, since it is a thing of such Consequence, that it ought to have been revealed in a way so very clear and past all dispute.

VI. If it is a *Presumption* for particular Persons to judge concerning Religion, which must be still referred to the *Priests* and other Guides in sacred matters, this is a good Argument to oblige all Nations to continue in the *Established Religion*, whatever it may happen to be ; and above all others, it was a convincing Argument in the Mouths of the *Jews* against our Saviour. He pretended to be the *Messias*, and proved it both by the *prophecies* that were accomplished in him, and by the *Miracles* that he wrought : as for the *Prophecies*, the Reasons urged by the Church of *Rome* will conclude much stronger, that such dark passages as those of the Prophets were, ought not to be interpreted by particular Persons, but that the Exposition of these must be referred to the *Priests* and *Sandredin*, it being expressly provided in their law (Deut. 17. 8 ) *That when Controversies arose, concerning any Cause that was too intricate, they were to go to the place which God should choose, and to the Priests*

of the *Tribe of Levi*, and to the Judge in those days, and that they were to declare what was right, and to their decision all were obliged to submit, under pain of Death : So that by this it appears, that the *Priests* in the *Jewish Religion* were authorised in so extraordinary a manner, that I dare say, the Church of *Rome* would not wish for a more formal Testimony on her behalf : As for our Saviours Miracles, these were not sufficient neither, unless his Doctrine was first found to be good : since *Moses* had expressly warned the people (Deut. 13. 1. ) *That if a Prophet came and taught them to follow after other Gods, they were not to obey him, tho' he wrought Miracles to prove his Mission, but were to put him to Death* : So a *Jew* saying, that *Christ*, by making himself one with his Father, brought in the worship of another God, might well pretend that he was not obliged to yield to the authority of our Saviours Miracles, without taking cognisance of his Doctrine, and of the Prophecies concerning the *Messias*, and in a word, of the whole matter. So that, if these Reasonings are now good against the *Reformation*, they were as strong in the mouths of the *Jews* against our Saviour : and from hence we see, that the authority that seems to be given by *Moses* to the *Priests*, must be understood with some Restrictions ; since we not only find the prophets, and *Jeremy* in particular, opposing themselves to the whole body of them, but we see likewise, that for some considerable time before our Saviour's days, not only many ill-grounded Traditions had got in among them, by which the vigor of the moral law was much enervated, but likewise they were universally possessed with a false notion of their *Messias* ; so that even the Apostles themselves had not quite shaken off those prejudices at the time of our Saviour's Ascension. So that here a Church, that was still the Church of God, that had the



the appointed means of the Expiations of their sins, by their Sacrifices and *Washings*, as well as by their Circumcision, was yet under great and fatal Errors, from which particular persons had no way to extricate themselves, but by examining the Doctrine and Texts of Scripture, and by judging of them according to the Evidence of Truth, and the force and freedom of their Faculties.

VII. It seems Evident, that the passage (*Tell the Church*) belongs only to the reconciling of Differences: that of *binding and loosing*, according to the use of those terms among the *Jews* signifies only an Authority that was given to the *Apostles*, of giving precepts, by which men were to be obliged to such Duties, or set at liberty from them: and (*the gates of Hell not prevailing against the Church*) signifies only, that the *Christian Religion* was never to come to an end, or to perish: and that of (*Christ being with the Apostles to the end of the world*) imports only a special conduct and protection which the *Church* may always expect, but as the promise, *I will not leave thee nor forsake thee*; that belongs to every *Christian*, does not import an *Infallibility*: no more does the other, And for those passages concerning (*the spirit of God that searches all things*) it is plain, that in them *St. Paul* is treating of the divine Inspiration, by which the *Christian Religion* was then opened to the world, which he sets in opposition to the wisdom or philosophy of the *Greeks*; so that as all those passages come short of proving that for which they are alledged, it must at last be acknowledged, that they have not an Evidence great enough to prove so important a truth, as some would evince by them; since 'tis a matter of such vast consequence, that the proofs for it must have an undeniable Evidence.

VIII. In the matters of Religion two

things are to be considered, first, the *Account* that we must give to God, and the *Rewards* that we expect from him: and in this every man must answer for the sincerity of his heart, in examining divine Matters, and the following what (upon the best Enquiries that one could make) appeared to be true: and with relation to this, there is no need of a Judge: for in that Great Day every one must answer to God according to the Talents that he had, and all will be saved according to their sincerity; and with relation to that judgment, there is no need of any other judge but God. A second view of Religion, is as it is a Body united together, and by consequence brought under some Regulation: and as in all States, there are subalterne Judges, in whose decisions all must at least acquiesce, tho they are not infallible, there being still a sort of an appeal to be made to the Sovereign or the supreme legislative Body; so the Church has a subalterne Jurisdiction, but as the authority of inferior Judges is still regulated, and none but the Legislators themselves have an Authority equal to the Law; so it is not necessary for the preservation of Peace and Order, that the Decisions of the Church should be infallible, or of equal Authority with the Scriptures. If Judges do so manifestly abuse their Authority, that they fall into Rebellion and Treason, the Subjects are no more bound to consider them; but are obliged to resist them, and to maintain their obedience to their Sovereign; tho in other matters their Judgment must take place, till they are reversed by the Sovereign. The case of Religion being then this, That *Jesus Christ* is the Sovereign of the Church; the Assembly of the Pastors is only a subalterne Judge: if they manifestly oppose themselves to the Scriptures, which is the Law of Christians, particular persons may

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be supposed as competent *Judges* of that, as in civil *Matters* they may be of the Rebellion of the Judges, and in that case they are bound still to maintain their Obedience to *Jesus Christ*. In matters indifferent, *Christians* are bound, for the preservation of Peace & Unity, to acquiesce in the Decisions of the *Church*, and in *Matters* justly doubtful, or of small Consequence, tho they are convinced that the *Pastors* have erred, yet they are obliged to be silent, and to bear to'erable things rather than make a Breach but if it is visible, that the *Pastors* do Rebel against the Sovereign of the *Church*, I mean *Christ*, the people may put in their Appeal to that great Judge, and there it must lie. If the Church did use this Authority with due Discretion, and the people followed the rules that I have named with humility and modesty, there would be no great danger of many Divisions; but this is the great Secret of the providence of God, that men are still men, and both *Pastors* and People mix their Passions and Interests so with matters of Religion, that as there is a great deal of sin and vice still in the World, so that appears in the *Matters* of Religion as well as in other things: but the ill Consequences of this; tho they are bad enough, yet are not equal Effects that ignorant Superstition, and obedient Zeal have produced in the World. Witness the Rebellions and *Wars* for establishing the Worship of Images; the *Crossades* against the *Saracens*, in which many millions were lost; those against *Hereticks*, and *Princes* deposed by *Popes*, which lasted for some Ages; and the Massacre of *Paris*, with the Butcheries of the Duke of *Alva* in the last Age, and that of *Ireland* in this: which are, I suppose far greater Mischiefs than any that can be Imagined to arise out of a small Diversity of *Opinions*: and the present State of this

Church, notwithstanding all those unhappy Rents that are in it, is a much more desirable thing, than the gross Ignorance and blind Superstition that reigns in *Italy* and *Spain* at this day.

IX. All these reasonings concerning the Infallibility of the Church signify nothing, unless we can certainly know, whether we must go for this Decision: for while one Party shewes us, that it must be in the *Pope*, or is no where, and another Party sayes it Cannot be in the *Pope*, because as many *Popes* have erred, so this is a Doctrine that was not known in the Church for a thousand Years, and that has been disputed ever since it was first asserted, we are in the right to believe both sides; first, that if it is not in the *Pope*, it is no where; and than, that certainly it is not in the *Pope*; and it is very Incongruous to say, that there is an Infallible Authority in the Church, and that yet it is not certain where one must seek for it; for the one ought to be as clear as the other, and it is also plain, that what Primacy so ever *St. Peter* may be supposed to have had, the Scripture sayes not one word of his Successors at *Rome*; so at least this is not so clear, as a matter of this Consequence must have been, if *Christ* had intended to have lodged such an Authority in that See.

X. It is no less Incongruous to say, that this Infallibility is in a General Council: for it must be somewhere else, otherwise it will return only to the Church by some Starts, and after long intervals: and as it was not in the Church, for the first 320 years, so it has not been in the Church these last 120 years. It is plain also, that there is no Regulation given in the Scriptures; concerning this great Assembly, who have a right to come and Vote, and what forfeits this right, and what numbers must concur in a Decision, to assure us of the Infallibility

of the Judgment. It is certain, there was never a General Council of all the Pastors of the Church: for those of which we have the Acts, were only the Councils of the Roman Empire, but for those Churches, that were in the South of *Africa*, or the Eastern Parts of *Asia*, beyond the bounds of the Roman Empire, as they could not be summoned by the Emperours Authority, so it is certain none of them were present: unless one or two of *Persia* at *Nice*, which perhaps was a Corner of *Persia* belonging to the Empire; and unless it can be proved, that the Pope has an Absolute Authority to cut off whole Churches from their right of coming to Councils, there has been no General Council these last 700 years in the World, ever since the Bishops of Rome have excommunicated all the Greek Churches upon such trifling reasons; that their own Writers are now ashamed of them; and I will ask no more of a Man of a Competent understanding, to satisfy him that the Council of *Trent* was no General Council, acting in that Freedom that became Bishops, than that he will be at the pains to read *Card. Pallavicins History* of that Council.

XI. If it is said, that this Infallibility is to be sought for in the Tradition of the Doctrine in all Ages, and that every particular Person must examine this: here is a Sea before him, and instead of examining the small Book of the N. Testament. he is involved in a study that must cost a Man an Age to go thro it; and many of the Ages, thro which he carries this Enquiry, are so dark, and have produced so few Writers, at least so few are preserved to our dayes, that it is not possible to find out their belief. We find also Traditions have varied so much that it is hard to say that there is much weight to be laid on this way of

Conveyance. A Tradition concerning Matters of Fact that all People see, is less apt to fail than a Tradition of Points of Speculation: and yet we see very near the Age of the Apostles, contrary Traditions touching the Observation of *Easter*, from which we must conclude, that either the Matter of Fact of one side, or the other, as it was handed down, was not true, or at least that it was not rightly understood. A Tradition concerning the Use of the Sacraments, being a visible thing, is more likely to be exact, than a Speculation concerning their nature; and yet we find a Tradition of giving Infants the Communion, grounded on the indispensable necessity of the Sacrament, continued 1000. years in the Church. A Tradition on which the Christians founded their Joy and Hope, is less like to be changed, than a more remote Speculation, and yet the first Writers of the Christian Religion had a Tradition handed down to them by those who saw the Apostles, of the Reign of Christ for a Thousand Years upon Earth; and if those who had Matters at second hand from the Apostles, could be thus mistaken, it is more reasonable to apprehend greater Errors at such a distance. A Tradition concerning the Book of the Scriptures is more like to be exact, than the Exposition of some passages in it; and yet we find the Church did unanimously believe the Translation of the 70. Interpreters to have been the effect of a miraculous Inspiration, till *S. Jerome* examined this matter better, and made a New Translation from the Hebrew Copies. But which is more than all the rest, It seems plain, that the Fathers before the Council of *Nice* believed the Divinity of the Son of God to be in some sort Inferiour to that of the Father, and for some Ages after the Council of *Nice*, they believed them indeed both equal,  
but



but they considered these as two different Beings, and only one in Essence, as three men have the same humane Nature in common among them ; and that as one Candle lights another, so the one flowed from another ; and after the Fifth Century the Doctrine of one Individual Essence was received. If you will be farther informed concerning this, *Father Petau* will satisfy you as to the first Period before the Council of Nice, and the learned Dr. *Cudworth* as to the second. In all which particulars it appears, how variable a Thing Tradition is. And upon the whole Matter, the examining Tradition thus, is still a searching among Books, and here is no living Judge.

XII. If then the Authority that must decide Controversies, lies in the Body of the Pastors scattered over the World, which is the last retrenchment, here as many and as great Scruples will arise, as we found in any of the former Heads. Two difficulties appear at first view, the one is, How can we be assured that the present Pastors of the Church are derived in a just Succession from the Apostles : there are no Registers extant that prove this : So that we have nothing for it but some Histories, that are so carelessly writ, that we find many mistakes in them in other Matter ; and they are so different in the very first links of that Chain, that immediately succeeded the Apostles that the utmost can be made of this is, that here is an Historical Relation somewhat doubtful ; but here is nothing to found our Faith on : so that if a Succession from the Apostles times, is necessary to the Constitution of that Church, to which we must submit our selves, we know not where to find it : besides that, the Doctrine of the necessity of the Intention of the Minister to the Validity of a Sacrament, throws us

into inextricable difficulties. I know they generally say, that by the Intention they do not mean the inward Acts of the Minister of the Sacrament, but only that it must appear by his outward deportment, that he is in earnest going about a Sacrament, and not doing a thing in jest ; and this appeared so reasonable to me, that I was sorry to find our Divines urge it too much : till turning over the Rubricks that are at the beginning of the Missal, I found upon the head of the Intention of the Minister, that if a Priest has a Number of Hosties before him to be consecrated, and intends to consecrate them all, except one, in that case that Vagrant exception falls upon them all : it not being affixed to any one ; and it is defined that he consecrates none at all. Here it is plain, that the secret Acts of a Priest can defeat the Sacrament : so this overthrows all certainty concerning a Succession : But besides all this, we are sure, that the *Greek Churches* have a much more uncontested Succession than the *Latines* : So that a Succession cannot direct us. And if it is necessary to seek out the Doctrines that are universally received, this is not possible for a private Man to know. So that in ignorant Countries, where there is little Study, the people have no other certainty concerning their Religion, but what they take from their Curate and Confessor : since they cannot examine what is generally received. So that it must be confessed that all the Arguments that are brought for the necessity of a constant *Infallible Judge*, turn against all those of the Church of *Rome*, that do not acknowledge the *Infallibility* of the *Pope* ; for if he is not *infallible*, they have no other Judge, that can pretend to it. It were also easie to shew, that some Doctrines have been as *Universally* received in some Ages, as they have

have been rejected in others; which shews, that the Doctrine of the present Church is not always a sure measure. For five Ages together, the Doctrine of the Popes Power to depose Heretical Princes was received without the least Opposition: and this cannot be doubted by any that knows what has been the State of the Church since the End of the eleventh Century: and yet I believe few Princes would allow this, notwithstanding all the concurring authority of so many Ages to fortifie it. I could carry this into a great many other Instances, but I single out this because it is a point in which princes are naturally extream sensible.

Upon the whole Matter, it can never enter into my mind, that God, who has made Man a Creature, that naturally enquires and reasons, and that feels as sensible a pleasure when he can give himself a good account of his actions, as one that sees, does perceive in comparison to a blind man that is led about; and that this God that has also made Religion on design to perfect this Humane Nature, and to raise it to the utmost height to which it can arrive, has contrived it to be dark, and to be so much

beyond the penetration of our Faculties, that we cannot find out his mind in those things that are necessary for our Salvation: and that the *Scriptures*, that were writ by plain men, in a very familiar stile, and addrest without any discrimination to the Vulgar, should become such an unintelligible Book in these Ages, that we must have an *infalible Judge* to expound it: and when I see not only Popes, but even some Bodies that pass for General Councils, have so expounded many passages of it, and have wrested them so visibly, that none of the modern Writers of that Church pretend to excuse it, I say, I must freely own to you, that when I find that I need a Commentary on dark passages, these will be the last persons to whom I will address my self for it. Thus you see how fully I have opened my mind to you in this matter; I have gone over a great deal of ground in as few words as is possible, because hints I know are enough for you; I thank God, these Considerations do fully satisfie me, and I will be infinitely joyed, if they have the same effect on you.

I am yours.

His Letter came to London with the return of the first Post after his late Majesty's Papers were sent into the Countrey; some that saw it, liked it well, and wished it to have it publick. and the rather, because the Writer did not so entirely confine himself to the Reasons that were in those Papers, but took the whole Controversy to task in a little compass, and yet with a great variety of Reflections. And this way of examining the whole matter, without following those Papers word for word, or the finding more fault than the common concern of this Cause required, seemed more agreeing to the respect that is due to the Dead, and more particularly to the Memory of so great a Prince; but other Considerations made it not so easie nor so adviseable to procure a License for the Printing this Letter. it has been kept in private hands till now: those who have boasted much of the Shortness of the late Kings Papers, and of the length of the Answers that have been made to them, will not find so great a disproportion between them and this Answer to them.

The

*The Citation of Gilbert Burnet, D. D. To Answer in Scotland on the 27th. June, O'd Stile, for High Treason: Together with his Answer; and Three Letters, writ by him, upon that Subject, to the Right Honourable the Earl of Middelroune, his Majesties Secretary of State.*

**I** Know the Disadvantages of pleading ones Innocence, especially when he is prosecuted at the suit of his Natural Prince, to whom he owes so profound a Duty: and this has kept me so long in a respectful silence, after I had seen my Name in so many *Gazettes*, aspersed with the blackest of all Crimes: but there is both a time to be silent, and a time to speak: and as hitherto I have kept my self within the bounds of the one, so I do now take the Liberty which the other allows me: but I was not hitherto silent where I ought to speak; for I have made many humble Addresses to His Majesty by the Earl of Middelroune his Secretary of State; hoping that my Innocence, joyned with my most humble Duty, would have broke through all those Prejudices and false Informations, with which my Enemies had possessed His Majesty against me.

Upon the first Notice that I had of His Majesties having writ to the Privy-Council in Scotland, ordering Process to be issued out against me for High-Treason, I writ my First Letter: in that I could enter into no particulars; for in the Advertisement that was sent me, it was said, that there was no special Matter laid to my Charge in the King's Letter. Some days after that, I received a Copy of my Citation, to which I presently writ an Answer, and

sent that with my Second Letter to the same Noble Person.; to both these Letters I received no Answer: but I was advertised, that some Exceptions were taken at some words in my First Letter, and this led me to write my Third Letter, for explaining and justifying those words. I have kept my self thus within all those Bounds that I thought my Duty set me; and am not a little troubled, that I am now forced to speak for my self. I have delayed doing it as long as I had any reason to hope, that my Justification of my self was like to produce the effect which I most humbly desired, and which I expected: but now the Day of my Appearance being come, in which it is probable Sentence will pass against me, since I have had no Intimations given me to the Contrary, I hope it will not shew either the least impatience, or the want of that Submission, which I have on all occasions payed to every thing that comes to me from that Authority, under which God had placed me that I publish these Papers for my own Vindication. If it had been only in defence of my Life and Reputation, that I had been led to appear in such a manner, I could have more easily restrained my self: and have left these to be Sacrifices to the Unjust Rage of those, who have so far prevailed on His Majesties readiness to believe them, as to drive this matter so far: but the

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Honour

Honour of that Holy Religion which I profess, and the Regard I bear to that Sacred Function to which I am dedicated, lay such Obligations on me, that I am determined by them, to declare my Innocence to the World, which I intend to do more copiously within a little while: but in the mean time, I hope the following Papers will serve to shew how clear I am of all the Matters that are laid to my Charge.

There is one Particular, which is come to my Knowledge since I writ my Answer, that will yet more evidently discover my Innocence: I have receiv'd certain Informations from England, that both Sir John Cochran and his Son, and Mr. Bawer, have declared upon many Occasions, and to many Persons, that they cannot imagin how they come to be Cited as Witnesses against me; that they can scarce believe it can be true; since they know nothing that can be any way to my Prejudice; and that they must clear me of all the Matters objected to me in this Citation, and the Two Witnesses, that as it seems are cited for that Article that relates to Holland, have solemnly declared, that

they know nothing relating to me, or to the Matters specified in this Citation, which one of them has signified to my Self in a Letter under his hand; so that the Falschood of this Accusation is so Evident, that it serves to discover the Folly, as well as the impudence of those who have contrived it.

But it is yet too early to set on a Persecution for Matters of Religion, therefore Crimes against the State must be pretended, and fastned on those whom these Men intend to destroy. And as foul and black Scandals are invented to defame me, and put in the mouths of those who are ready to believe an Report every thing that may disgrace me, without considering that they do a thing that is as unbecoming them, as it is Base and unjust in it self, so all Arts are used to destroy me; but I trust to the Protection of that Great God, who sees the injustice that is done me, and who will in his own Time and Way vindicate my Innocence: and under Him I trust to the Protection of the HIGH AND MIGHTY STATES OF HOLLAND AND WEST-FRIESLAND.

My

*My First Letter to the Earl of Middelbrou.**May it please Your Lordship,*

**T**HE Affairs of these Provinces belonging to Your Lordship's Share in the Ministry, leads me to make this most humble Address to You, and by Your Lordship to His Majesty.

I have received Advertisements from *Scotland*, that the King has writ to the Privy Council, ordering me to be proceeded against for High Treason against His Person and Government: and that pursuant to this, the King's Advocate has cited me to appear there; if any thing in this World can surprize or disorder me, this must needs do it: For as few have writ more, and preach oftner against all sorts of Treasonable Doctrines and Practices than my Self, so all the Discoveries that have been made of late Years, have been so far from aspersing me, that though there has been disposition enough to find fault with me, yet there has not been Matter given so much as for an examination. It is now thirteen Years since I came out of *Scotland*: and for these last five years, I have not so much as mentioned the commonest News in any Letter I have writ to any in that Kingdom: I do not mention Acts of Indemnity, because I know that I do not need the benefit of them. I went out of *England* by His Majesties Approbation: and I have staved out of it because His Majesty expressed His dislike of my returning to it. I am now upon the Point of Marrying in this Countrey, and am Naturalized by the States of *Holland*: but though by this, during

*my stay here, my Allegiance is translated from his Majesty to the Sovereignty of this Province, yet I will never depart from the profoundest Respect to his Sacred Person, and Duty to his Government: since my coming into these parts, I have not seen any one Person either of Scotland or England that is Outlaw'd for Treason; and when the King took Exceptions at the Access I had to the Prince and Princess of Orange, there was not any thing of this kind objected to me. So I protest unto your Lordship, I do not so much as imagine upon what it is that those informations, which it seems are brought to his Majesty, are founded.*

*My Lord, As I am not ashamed of any thing I have done, so I am not afraid of any thing that my Enemies can do to me: I can very easily part with a small Estate, and with a Life of which I have been long weary; and if my Engagements in this Countrey could dispence with it, I would not avoid the coming to stand my Tryal: but as this cannot be expected in the state in which I am, so I humbly throw my self at His Majesties Feet, and beg, that he may not Condemn me so much as in his thoughts, till I know what is the Crime that is Objected to me, that so I may offer a most humble Justification of my self to him. I shall be infinitely sorry if any Judgment that may pass on me in *Scotland*, shall oblige me to appear in Print in my own Defence: for I cannot betray my own Innocence so far as to suffer a thing of his nature*

to pass upon me, without Printing an Apology for my self; in which I will be forced to make a recital of all that share that I have had in Affairs these twenty years past: and in which I must mention a vast number of particulars, *that I am afraid will be displeasing to His Majesty: and as I will look on this as one of the greatest Misfortunes that can possibly befall me, so with all the Duty and Humility in the World, I beg I may not be driven to it.* I will not presume to add one word to your Lordship, nor to claim any sort of Favour or Protection

from you. For I address my self only to your Lordship as you are the Kings Minister for these Provinces.

*My Lord,*

*I am with all possible respects*

Hague, May,

10. 1687.

*May it please your Lordship*

*Your Lordships, &c.*

*The*



## The Criminal Letters at the Instance of the Lord Advocate,

Against

Doctor GILBERT BURNET.

**J**AMES, &c. To our Lovits, &c. Heralds, Pursuivants, Macers and Messengers at Arms, Our Sheriffs in that part conjunctly and severally specially constituted, Greeting. Forasmuch as it is humbly meant and complained to Us be Our Right Trustie and Familiar Councillor, Sir John Dalrymple the Younger, of *Stair*, our Advocate for our Interest, upon Doctor Gilbert Burnet,

That where, notwithstanding by the Laws and Acts of Parliament, and constant practise of this our Kingdom, the venting of Slanderous, Treasonable and Advised Speeches and Positions, and the Reproaching our Person, Estate and Government, and the Recepting, Supplying, Aiding, Assisting, Intercomoning with, & doing Favours to denounced Rebels, or forsaulted Traitors, are punishable by Forfaulture of Life, Land and Goods, and particularly by the 1. 3. 4. Act of 8. P. K. Ja. 6. It is Statute Ordained that non of our Subjects, of whatsoever Degree, Estate or Quality, shall presume or take upon hand, privatelie or publickly, in Sermons, Declamations, or Familiar Conferences, to utter any False, Slanderous or untrue Speeches, to the Disdain, Reproach, or Contempt of Us, our Council or Proceedings, or to the Dishonour, hurt or Prejudice of Us, or to meddle in our Affairs or

Estate by-gone, present, or in time coming, under the pain of Death, and Confiscation of Moveables: And be the 10 Act 10 P. K. Ja. 6. It is Statute and Ordained, that all our Subjects contain themselves in Quietness and dutifull Obedience to Us, our Government and Authority, and that non of them presume nor take upon hand publickly to declame or privatelie to speak or write any Purpose of Reproach or Sclander against our Person, Estate or Government, or to deprave our Laws and Acts of Parliament, or misconstrue our Proceedings, whereby any Dislike may be moved betwixt Us, our Nobility and loving Subjects in time coming, under the Pain of Death; and that thes that do in the Contrair shall be repute as Seditious and wicked Instruments, Enemies to Us and the Common-weel of this Realm, and that the said paine of Death shall be inflicted upon them with all Rigour in Example of others. And be the second Act 2. Sess. of the first Parliament of K. Ch. 2. We and our Estates of Parliament do declare, that thes Positions, that it is Lawfull for Subjects upon pretence of Reformation, or any other pretence whatsoever, to enter into Leagues or Covenants, or to take up Arms against Us, or thes Commissioners by Us, or to putt limitations upon their due Obedience and Allegiance, are Rebellois and Treasonable; and

O j that

that all persons who shall by Writings, Preaching or other malicious and advised Speaking, Express the Treasonable Intentions, shall be proceeded against and adjudged Traitors, and shall suffer forfeitures of Life, Lands and Goods, lyke as by the third Act 1. P. of K. Ja. 1. and 37. Act of his second Parliament, and be the 9. Act of 13. P. K. James 2. and 144. Act 12. P. K. James 6. And diverse and sundry other Laws and Acts of Parliament of this our Kingdome. It is declared High Treason for any of our Subjects to Receive, Supply or Intercomon with declared or Forfaulted Traitors, or give them Meat, Drink, Hous, Harbour, or any Relief or Comfort, and if they do in the Contrair, they are to undergo the same Pains the said Traitors or Rebels ought to have sustained, if they had been apprehended.

Nevertheless, It is of Verity, that the said Doctor Gilbert Burnet, shaking off all Fear of God, Conscience and Sense of Duty, Allegiance and Loyalty to Us his Sovereign and Native Prince, upon the Safetie of whose Person and Maintinance of whose Sovereign Authority and Princely Power, the Happiness, Stabilitie and Quyetness of our Subjects do depend, Hes most perfidiously and treasonably resumed to commit, and is guilty of the Crimes above mentioned in his faras Archbald Campbell, sometime Earl of Argle; James Stewart, Sone to Sir James Stewart, sometime Provost of Edinburgh; Mr. Robert Ferguson, sometime Chaplain to the late Earl of Shaftsbury; Thomas Stewart of Culthess; William Denholm, sometime of West-shells; Master Robert Martin, sometime Clerk to our Justice Court; and several other Rebels and Traitors, being most justly by our High Courts of Parliament, and

Justice Court, Forfaulted for the Crimes of Treason, and fled to our Kingdom of England, and to Holland, Flanders, Geneva, and several other places. The said Dr. Gilbert Burnet did upon the First, Second, and remanent days of the moneths of January, February, and remanent moneths of the year One thousand six hundred eighty two, one thousand six hundred eighty three, one thousand six hundred eighty four, for January, February, March, or April, one thousand six hundred eighty five; Converse, Correspond, and Intercomon with the said Archbald late Earl of Argle, a Forfaulted Traitor, and that within the said Doctor Burnet his dwelling-hous in *Lincolns Inn-Fields*, near the Plea-hin in our City of London, or Suburbs thereof, or some other part or place within our Kingdom of England, Defamed, Slandered, and Reproached, and Advisedlie spoke to the Disdain and Reproach of our Person, Government and Authority, wrote several Letters, and received Answers thereto from the said Forfaulted Traitor when he was in Holland, or elsewhere, expressly contrary to his Duty and Allegiance to Us his Sovereign Lord and King. And sulkit upon the first, second, and third dayes of the moneths of May, June, July, August, September, October, November and December, one thousand six hundred eighty five, and upon the first, second, and third days of the moneths of January, February, and remanent moneths of the year one thousand six hundred eighty six, and first, second, and third days of the moneths of January, February, March, one thousand six hundred eighty seven, or one or other of the days of one or other of the said moneths or years; The said Doctor Gilbert Burnet did most treasonable Receipt, Supplied, Aided,

Alike.

Assisted, Converted and Intercomonged with, and did favours to the said *James Stewart, Mr. Robert Ferguson, Thomas Stewart, William Denholm, and Mr. Robert Martyn*, forsauled Traitors and Rebels in the Cities of *Rotterdam, Amsterdam, Leyden, Breda, Geneva*; or some other part or place within the *Netherlands*, or elsewhere; publickly and avowedly uttered several speeches and positions, to the disdain of our Person, Authority and Government; continues and persists in such undutiful and treasonable practises against Us and Our Government (we being his Sovereign Lord and Prince) expresse contrair to his Allegiance and Duty.

By committing of the whilk Crimes above specified, or either of them, The said Doctor *Burner* is guilty and culpable of the Crime of *High Treason*, and is Art and Part thereof, which being found to be ane Iniquist, he ought and should to suffer Forfeiture of Life, Land and Goods to the Terror and Example of others to commit the like hereafter. Our Will is, Heirfor, and we charge you straitlie, and Command, that incontinent this our Letter seen, yee pass, and in our Name and Authority, Command and Charge the said Doctor *Gilbert Burner*, above complained upon, be found of Trumpet with displayed Coat, and using other Solemnities necessary, to come and find sufficient Caution and Sovertie acted in our Books of Adjournal, that he shall compare before our Lords Justice General, Justice Clerck and Commissioners of Justice, within the *Tolbooth* or Criminal Court house of *Edinburgh*; the twentie seventh day of *June* next to come, in the hour of Caus, there to underlie the Law for the Crimes above-mentioned, and that under the Paines contained in the new Acts of Parlia-

ment; And that yee charge him personally, if he can be apprehended and falsening thereof at his dwelling at his dwelling-house, and be open Proclamation at the Mercat Croise of the head Burgh of the Shyre, Stewartie, Regallitie, and other Jurisdiction where he dwells, to come and find the said Sovertie acted in maner forsaide within six dayes, if he be within this our Kingdome, and if he be cut with the Samyne, that ye command and charge him in maner forsaide be open Proclamation at the Mercat Croise of *Edinburgh*. Peer and Shoar of *Leith*, to come and find the said Sovertie within threescore dayes next after he beis charged charged be you thereto under the pain of Rebellion, and putting of him to our Horn. Whilk six and threescore dayes respectively being by-past, and the said Sovertie not being found, nor no incimation made by him to you of the finding thereof, that ye incontinent herefter denounce him our Rebel, and put him to our Horn Escheat, and inbring all his moveable Goods and geir to our Use for his Contemption and Disobedience. And if he come and find the said Sovertie, Incimation always being made be him to you of the finding thereof, that summoned and Assyse hereto not exceeding the number of fourtie five Persons, together with such Witnesses who best know the Veritie of the Premises, whose Names shall be given you in Roll subscribed by the said Complainor. Isk person under the pain of an hundred Merks. And that ye within fifteen dayes after his denunciation for not finding of Caution, Caus register thir Our Letters with your Execution thereof, in Our Books of Adjournal conform to the Act of Parliament made thereanent. According to Justice.

Justice as ye will answer to Us there-  
upon, the which to do Commits to you  
conjunctly and severallie Our full pow-  
er be thir Our Letters delyvering them  
be yow duellie Execute and Indorset  
again to the Bearer.

Given under Our Seal at *Edenburgh*

the nynereimth day of *April*, and of  
Our Reigne the third Year, 1678. *En  
deliberatione Damhorum Commissionario-  
rum Justiciarum sit subscribitur*

Signed 19.

*Apryle* 1687.

Tho. Gordonne.

**The Witnesses against Doctor Gilbert Burnet are,**

*Sir John Cochran* of *Ocklree*.

*John Cochran* of *Waterfyd*.

*Mr. Robert Vest*, Lawyer, Englishman.

*Mr. Zachary Burne*, Brewer, Englishman.

*Mr. William Garstides*, Preacher.

*Robert Baird*, Merchant in *Holland*.

*Mr. Richard Bower*, Preacher.

## An Answer to the Griminal Letters issued out against me.

**I** Look upon it as a particular Misfortune, that I am forced to answer a Citation that is made in His Majesties Name, which will be ever so Sacred with me, that nothing but the sense of an indispensable Duty could draw from me any thing that looks like a Contending with that sublime Character.

I owe the Defence of my own Innocence and of my own Reputation and Life to my self: I owe also to all my Kindred and Friends, to my Religion as I am a Christian and a Protestant, and to my Profession as I am a Churchman, and above all, to His Majesty, as I am his Born-Subject, such a Vindication of my Loyalty and Integrity, as may make it appear, that my not going to *Scotland*, according to the Tenour of this Citation, does not flow from any sense of Guilt or Fear, but merely from those Engagements under which I am in *Holland*.

I hope my Contradicting or Refuting the Matters of Fact set forth in this Citation, shall not be so maliciously perverted by any, as if I meant to reflect either on His Majesty for writing to his Council of *Scotland*, ordering this Citation to be made, or on his Advocate for forming it, and issuing it out. But as I acknowledge, that upon the Information that it seems was offered of those matters here laid against me, it was very reasonable for His Majesty to order Justice to be done upon me; so his Advocate, in whose hands those Informations it seems are now put, had all possible reason to lay them

against me, as he has done; and therefore I will not pretend to make an Exception to the Laws and Acts of Parliament, set forth in the first part of this Citation; but I will only answer the matters of Fact laid to my Charge; and whatsoever I say concerning them, does only belong to my false Accusers; and therefore I hope they will not be looked on as things in which even His Majesties Advocate, but much less His Sacred Majesty is any ways concerned.

I am first accused for having been conversed with, and held correspondence with the late Earl of *Argyle*: and to make this appear the more probable, the place is marked very Critically, where I lived; and where, as it is pretended, we met, But as it is now almost two years since the late *Argyle* was taken and suffered; and that a full account was had of all his secret Practices, in all which I have not been once so much as mentioned, tho' it is now a year since I have lived and preached openly in these Provinces. The truth is, that for nine years before the late Earl of *Argiles* forfeiture, I had no sort of Correspondence with him, nor did I ever see him since the year, 1676. After his Escape out of Prison I never saw him, nor writ to him, nor heard from him, nor had I any sort of Commerce with him, directly nor indirectly: the Circumstance of my House, and the Place in which I lived, is added, to make the thing look somewhat probable: but tho' it is very easy to know where I lived, and I having dwelt in *Lincolns-Inn-Fields* the space of seven years, it was no hard matter to add

this particular; yet so inconsiderate is the Malice of my Enemies, that even in this, it leads them out of the way; for soon after *Argile's* Escape, and during the stay that as is believed he made in *London*, I had removed from *Lincoln-Inn-Fields* into *Brook-Buildings*; this makes me guess at the Informer, who saw me often in the one House, but never in the other: and yet even he, who has betrayed all that ever past between us, has not Impudence enough to charge me with the least Disloyalty, though I concealed very few of my thoughts from him.

With this of my seeing *Argile*, the Article of the Scandalous and Treasonable words pretended to be spoken by me to him, against His Majesties Person and Government, falls to the ground; it is obvious that this cannot be proved, since *Argile* is dead: and it is not pretended that these words were uttered in the hearing of other Witnesses: nor is it needful to add, that His Majesty was then only a Subject, so that any Words spoken of him at that time cannot amount to Treason: but I can appeal to all those with whom I have ever conversed, if they have ever heard me fail in the respect I owed the King: and I can easily bring many Witnesses from several parts of *Europe*, of the Zeal with which I have on all occasions expressed my self on those Subjects, and that none of all those hard words, that have been so freely bestowed on me, has made me forget my Duty in the least.

I am in the next place accused of Correspondence with *James Stewart*, *Mr. Robert Ferguson*, *Thomas Stewart*, *William Denholm*, and *Mr. Robert Martyn*, since my coming out of *England*,

and that I have entertained and supplied them in Foreign Parts; particularly in the Cities of *Amsterdam*, *Rotterdam*, *Leyden*, *Breda*, *Geneva*, or in some other parts within the *Netherlands*. This Article is so very ill laid in all its branches, that it shews my Enemies have very ill Informations concerning my most general Acquaintance since; tho' there are, among those that are condemned for Treason, some that are of my Kindred and ancient Acquaintance; they have here cast together a Company of men who are all (*James Stewart* only excepted) absolutely unknown to me, whom I never saw, and with whom I never exchanged one word in my whole Life, as far as I can remember; one of them *Mr. Robert Martyn*, was as I ever understood it, dead above a year before I left *England*, as for *James Stewart*, I had a general Acquaintance with him twenty years ago, but have had no Commerce with him now for many years, unless it was that I saw him twice by accident, and that was several years before there was any Sentence past on him: my Accusers know my motion ill, for I have not been in *Breda* these twenty three years. I sailed in the *Hague* upon my coming into *Holland*, because I was willing to be under the Observation of His Majesties Envoy: and I chose this place the rather, because it was known, that none of those that lay under Sentences come to it, I have never gone to *Amsterdam* or *Rotterdam* in secret: and have never been there but upon my private Affairs, and that never above a Night or two at a time; and I have been so visible all the while that I was in those places, that I thought there was no room left even for Calumny.



In the last place it is said, that I have publickly and avowedly uttered several Speeches and Positions to the Dis- tinct of his Majesties Person, Authority and Government, and that I continue and persist in those Treasonable Practi- ses. This is so generally asserted, that it is enough for me to say, that it is po- sitively false: but I have yet clearer Evidence to the contrary of this: I have preached a whole Sermon in the Hague against all Treasonable Doctrines and Practises; and in particular against the Lawfulness of Subjects rising in Arms against their Sovereign, upon the account of Religion: and I have main- tained this so oft, both in publick in private, that I could, if I thought it convenient, give proofs of it that would make all my Enemies be ashamed of their Unjustice and Malice.

The Witnesses cited against me are first, Sir *John Cochran*, whom I have not seen above this four Years last past, and with whom I have had no sort of Commerce since I saw him. It is almost two Years since he had his pardon, so it is probable he then told all that he has ever told concerning me; and it is not likely, that the matter would have been let lie asleep all this while, if he had said any thing to my prejudice. I confess I have been long acquainted with him, I look upon him as a man of Ho- nour; and I reckon my self so safe in his Honour, and in my own Innocence, that I do very freely release him from all the Obligation of Friendship and Con- fidence, and wish that he may declare every thing that has past between us: for then I am sure he will do me the right to own, that as oft as we talkt of some things that were complained of in Scotland, I took occasion to repeat my Opinion, of the Duty of Subjects to sub-

mie and bear all the ill Administrations that might be in the Government, but never to rise in Arm upon that account. The next Witness is his Son, whom I never saw but once or twice, and with whom I never entered into any discourse, but what became a man of my profession to so young a person, exhorting him to the Duties of a Christian. The next two are Mr. *West* and Mr. *Burn*, whose faces I do not know. After them come Mr. *Carstairs* and Mr. *Baird*, whose faces I know not neither, it seems these are the Witnesses to be led against me for the Article relating to the *Netherlands*; but as I am wholly a Stranger to Mr. *Carstairs*, so I do not so much as know if there is such a per- son in being as *Robert Baird*, Merchant in *Holland*. and for the last, Mr. *Baxter*, I have had no Correspondence at all with him these two and Twenty Years; unless it was that once or twice I have met him by accident in a Visit in a third place, and that once about six Years ago I went to discourse with him concerning a matter of History in which we differed; but as all our Conversa- tion at that time was in the presence of some Witnesses so it was not at all re- lating to matters of State.

And now I have gone over all the Matter that is laid against me in this Ci- tation, and have made such Reflections both on the Facts that are alledged, and the Witnesses that are named, as will I hope satisfy even my Enemies them- selves, of the Falschood and Injustice of these Informations. So that I pre- sume so far on his Majesties Justice, as to expect that all the Indignation which is kindled against me, will be turned upon my false Accusers.

To all this I will add one thing fur- ther for my Justification, tho I am fully

fully satisfied it is that which I am not obliged to do, and which if I were in other Circumstances I would not do my self; as I would advise no other man to do it. For it is a part of that Right that every man has to preserve himself by all lawful ways, that he do not accuse himself, and by consequence, that he do not purge himself by Oath of matters objected to him: and I do not so well approve of the Courts of Inquisition, as to give countenance to a practice which was first set on foot by them, of requiring men to answer upon Oath to matters objected to them. If I were not a Churchman I would not do this which I am about to do; as I declare I will never do it again, let my Enemies lay to my charge what they please. But the regard I have to this sacred Function to which I am dedicated, makes me now once for all, offer this solemn purgation of my self. *I assest the Great God, the searcher of all things, and the Judge of all men, that all the matters of Fact laid to my Charge in this Citation, are utterly Groundless, and absolutely false.* This I am ready to confirm with my Corporal Oath, and to receive the Sacrament upon it.

And now I hope I have said enough to satisfy His Majesty concerning my Innocence, so that I am confident he will not only discharge all further proceedings against me, upon this Accusation, but that he will express his Royal Displeasure against my False Accusers. But if the power of my Enemies, and their credit with His Majesty is still so great, that this matter shall be carried further, and that advantage shall be taken from my not appearing in *Scotland*, to proceed to a Sentence against me, which some brutal men now in the *Hague* are threatening before hand, that they will execute it: I then make my most humble Appeal to the Great God, the King of Kings, who knows my Innocence, and to whom my Blood will cry for Vengeance, against all that may be any way concerned in the shedding of it. He will at the Great Day judge all men righteously, without respect of Persons; It is to him I fly, who I am sure will hear me. Judge me O God, according to the Integrity that is in me.

At the *Hague*,  
May, 17. 1687.

Gilbert Burnet.

## My Second Letter to the Earl of Miltourne.

May it please your Lordship,

**T**HE Copy of the Citation against me, has been sent me out of Scotland, since I took the Liberty to write last to your Lordship; this puts me on a Second Address to you, for conveying the enclosed Answer, which I must humbly lay down at His Majesties Feet. I am confident that the falseness of the matters objected to me, will appear so evident to His Majesty, as well as to all the World besides, that he will not only order the proceedings to be quite discharged, but that he will also order some reparation to be made to me, for so publick a Blame, as even a Citation for so high a Crime amounts to. I confess the many hard things that have been of late cast on me, and in particular to Young and Old, and Forraifiers as well as English men, that have been coming into these parts, make me see that my Enemies have possessed His Majesty with thoughts of me, that I must crave leave with all Humility to say, that they are as undeserving as hard. What have I either done or said, to draw on me so heavy and so long a

continued Displeasure? but my comfort lies in the Witness that I have within me, of my own Innocence: So that I dare appeal to God, as I do now to his Viceregent.

Since this Matter is now become so publick, and that my Name is run so generally known; I must not be wanting to my own Innocence; especially when not only my Life and Reputation are struck at, but the Religion that I profess is wounded through my Sides: therefore till I have put in order my Affairs for a larger Work, I find it in some sort necessary to print the Citation, together with this Answer. but I had much rather have all this prevented, by an effect of His Majesties Justice, in ordering an end to be put to this Accusation, and that by some Act that may be as publick as the Citation it self was, which may bear His Majesties being satisfied with my Innocence, as to these Matters; but if I have still as Melancholy an Answer to this, as I have had to all the former Applications I have made, I must maintain my Innocence the best

best way I can, in which I will never forget that vast Duty that I owe His Majesty, whatsoever I may meet with in my own particular.

If there is any thing either in the inclosed Paper, or in this Letter, that seems a little too vehement, I hope the provocation that I have met with will be likewise considered; for while my Life and Reputation are Struck at, and while some here are threatening so high, a man must be forgiven to shew that he is not quite unsensible; and tho my Duty to the King is proof against all that can ever be done to provoke me, yet I

must be suffered to treat the instruments and Procurers of my Disgrace, who are contriving my Destruction, with the plainness that such Practices draw from me.

I will delay Printing any thing for a Fortnight, till I see whether your Lordship is like to receive any Orders from His Majesty relating to him, who is,

May it please your Lordship,

Your Lordships, &c.

Hague, May. 17.

Old St. 1687.

My

*My Third Letter to the Earl of Middelton.*

*May it please your Lordship,*

**I** Venture once more to renew my Addresses to your Lordship, before I Print the Paper that I sent you by my last of the Seventeenth of May, together with the two Lettes that I writ you: for I find it necessary to add this, and that it go with the rest to the Press.

I am told, that great Advantages have been taken upon an Expression in my First Letter, in which I writ, *That by my Naturalisation during my stay here, My Allegiance was translated from His Majesty to the Sovereignty of this Province;* as if this alone was Crime enough; and I hear that some who have been of the Profession of the Law are of this mind. I indeed thought that none who had ever pretended to study Law, or the general Notions of Intercourse among Nations, could mistake in so clear a Point. I caution'd my words so, as to shew that

I considered this Translation of my Allegiance only as a temporary thing *during my stay here.* And can any man be so ignorant as to doubt of this? Allegiance and Protection are things by their nature reciprocal: since then Naturalisation gives a Legal Protection, there must be a return of Allegiance due upon it. I do not deny the Root of Natural Allegiance remains, but it is certainly under a suspension, while the Naturalised Person enjoys the Protection of the Prince or State that has so receiv'd him. I know what a Crime it had been if I had become Naturalised to any State in War with the King: but when it was to a State that is in Alliance with him, and when it was upon so just a ground as my being to be Married and Settled in this State, as it could be no Crime in me to desire it, so having obtained it, am not

a little amazed, to hear that any are so little conversant in the Law of Nations; as to take Exception at my words. Our Saviour has said, *That a man cannot serve two Masters*: and the Nature of things say, that a man cannot be at the same time under two Allegiances. His Majesty by Naturalising the Earl of *Feverham* and many others of the *French* Nation, knows well what a right this gives him to their Allegiance, which no doubt he as well as many others have sworn, and this is a translating their Allegiance with a Witness: That Lord was to have commanded the Troops that were to be sent into *Flanders* in 1678. against his Natural Prince: and yet though the Laws of *France* are high enough upon the points of Sovereignty, it was never so much as pretended that this was a Crime. And it is so much the Interest of all Princes to assure themselves of those whom they receive into their Protection by Naturalising them (since without that they should give Protection to so

many Spies and Agents for another Prince) that if I had not very good grounds to assure me, that some have pretended to make a Crime out of my Words, I could not easily believe it.

My Lord,

This is the last Trouble that I will give your Lordship upon this Subject, for it being now a Month since I made my first Address to you, I must conclude, That it is resolved to carry this matter to all Extremities; and Mr. *D'Albeville*, Instances against me; and the Threatnings of some of his Countrymen, make me conclude, that all my most humble Addresses to His Majesty are like to have no other effect but this, that I have done my Duty in them; so that it seems I am to be judged in *Scotland*. I am sorry for it, because this will engage me in a defence of my Self, I mean a justification of my own Innocence, which I go to much against my heart: but God and man see that I am forced to it: and no Threatnings



nings of any here will frighten me; for I will do that which I think fit for me to do to day, though I were sure to be assassinated for it to morrow: but to he last moment of my Life I

will pay all Duty and Fidelity to His Majesty.

*My Lord,*

*I am with a profound Respect*

*Your Lordships, &c.*

Hague, June 6.

Old St. 1687.

## ADVERTISEMENT.

**W**hen I had resolved on the Printing these Papers, and was waiting till the day should come to which I was Cited, I received a new Advertisement, that the first Citation was let fall, and that I was cited of new to the 15th. of August, to Answer to the Crimes of *High Treason*, upon the account of *two Heads* in my First Letter to the Earl of Middle-roune: The one is, That I say that *by my Naturalization I am loosed from my Allegiance to His Majesty*; and the other is, that I threaten His Majesty with the *Printing and Discovering of Secrets that have been long hid*. If after what I have hitherto met with,

there were room left for new Surprises, this would have been a very great one. Those who have advised the King to this way of proceeding against me, shew that they consider very little the Reputation of His Majesties Justice and so I be but sacrificed, they do not care how much the King's Honour suffers in it: for First, after a Citation of *High Treason*, which has made so much Noise, that is let fall: Which is plainly to Confess, that there is no Truth in all those matters that were laid to my Charge; and then, where is the Justice of this way of proceeding, to summon a man to

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appear upon the pretence of Crimes, of which they know him to be Innocent. But this new matter is of such a nature, that it is not easie for me to find words soft enough to speak of it with the decency that becomes me.

This is now more the Cause of the *States of Holland and West-Friezland* than it is mine. It is indeed the Cause of all the Sovereigns in the World, and so it is His Majesties own cause, who has so often call'd the Naturalised French His Subjects, and by Consequence they owe him an Allegiance, and so here must be at least a Temporary Transfation of their Allegiance made to him from their Natural Prince: And either this must be the same as to those who are Naturalised by the States here, or they are not a Sovereign State, and by consequence this cause is theirs, and not mine; since the Crime of which I am now accused is: the acknowledging my self to have become their Subject during my stay here, upon their having granted me the Benefit and Protection of Naturalisation; so that either His

Majesty was much mistaken in calling the French that are Naturalised, His Subjects; or it can be no Crime in me to have owned my self to have become a Temporary Subject to the States.

And if those who have studied the *Roman Law* will reflect a little on the effects that belonged to the (*Jus Civitatis*) or the Rights that followed on the being made a *Roman Citizen*, which are the same in all Sovereign States, and that Naturalization is with regard to a Prince or State, that which Adoption was by the *Roman Law* with regard to Private Families, they will see that my Enemies do not reflect enough on the Principles of Law when they pretend to make me a Criminal upon such an account. If I had been charged for having desired to be Naturalised, I confess there had been some more colour for it: but since it is now a received Practice over all Europe for the Subjects of one State to procure their being Naturalised in another; it is unaccountable how any can call in question that tie of Allegiance that he who is Naturalised owes

his New Masters. Nor have my Enemies considered how much this way of proceeding against me, must sink the Credit of His Majesties *Naturalising Strangers*; for how can they expect a constant Protection from him, if it is made apparent that the King does not think he has a right to their Allegiance? and into what a consternation must it throw them when they find by my Case that the King looks upon them as so many *Traitors* for becoming his *Subjects*, and for swearing *Allegiance* to him? for that *Oath* is sworn in terms that are plain and full, and that have not the qualification that I put in my words of *during my stay here*; so that they are much more *Criminal* than it can be pretended that I am.

The other *Article* is no less injurious to His Majesty, since they would make a *Crime* out of my words, that mention my Fear that he may be displeased at some things that may be in the *Apology*, that I will be obliged to make for my self, to the *Writing and Printing* of which a Sentence against me will drive me. If these men who have advised this, had the regard to His Majesty which they owe him, they would not have presumed to infer, that it was a *Threatning* of His Majesty

when I say, *that I must justify my self: or that any History of past Transactions can be a want of Duty to him*, this Consequence of theirs intimates that his *Life*, or the late King his *Brothers*, cannot bear a *True History*, otherwise *Where is the Threatning?* but how great a *Crime* this is, will I hope appear to His Majesty, when he has the leisure to reflect upon it; yet there may be many particulars that I must necessarily bring in, in the *History* that I am writing, which have such a connection with what relates to my self, that I cannot pass them by; which yet if it could be avoided, may not be fit for publick view. Now if my Enemies fancy, that it is a *Crime* for me to justify my self, because they have *pissed his Majesty against me*, I could answer this with some famed sayings of Tacitus's, that would disturb 'em a little; and if in a humble Groan that I make before His Majesty, I mention this as a consideration that may be of some weight with him, they who can turn this Expression of my Duty and Respect into a *Crime*, and are successful in the attempt, have a Talent for which I do not envy them, though I my self come to feel the weight of it.

Hague, Jan. 27.  
Old St. 1687.

G. Burnet.